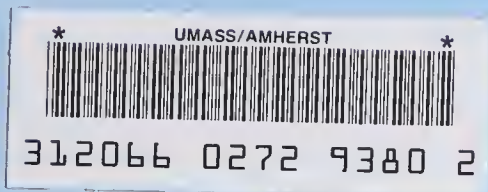


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GOVERNMENT DOCUMENTS
COLLECTION

University of Massachusetts

OFFICE OF
CAMPAIGN
and
POLITICAL
FINANCE

Advisory Opinion Index and Summaries

1982 – 1998

March 1999

Commonwealth
of Massachusetts

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Introduction

The Office of Campaign and Political Finance (OCPF) is an independent state agency that administers Massachusetts General Laws Chapter 55, the campaign finance law.

OCPF regularly issues a wide range of informational and educational materials, including guides, interpretive bulletins and advisory opinions. Advisory opinions are issued in response to written requests for guidance from candidates, committees, officials or the public, based on specific facts and circumstances. OCPF only issues advisory opinions concerning prospective activities.

This publication provides an index of opinions issued by OCPF from 1982 through 1998, grouped by subject. Opinions are also cross referenced if they cover more than one area: for example, an opinion concerning corporate contributions to ballot question committees may be listed under "Ballot Question: Expenditures by Corp/Assn" as well as "Business Corporation: Entities Subject to Prohibition". Readers are advised to check other index keywords if an initial search is not successful.

This publication also provides a brief summary of each opinion for quick reference. The best way to determine all issues covered, however, is to review the actual text of an opinion. Contact OCPF to obtain a copy. Opinions issued after Jan. 1, 1998, are accessible on our web site, OCPF Online, at www.state.ma.us/ocpf.

OCPF periodically updates this advisory opinion index. Check with the office if you are unsure if you have the most recent edition.

Contact OCPF with any questions or concerns regarding this publication, our advisory opinions or any other aspect of the Massachusetts campaign finance law.

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Advisory Opinion Keywords

ADMINISTRATIVE COSTS

AFFILIATION

ANDERSON COURT CASE

ASSETS: DISPOSITION OF

ASSOCIATIONS

BALLOT QUESTION COMMITTEES: CONTRIBUTIONS TO

BALLOT QUESTION COMMITTEES: DISSOLUTION OF

BALLOT QUESTION COMMITTEES: EXPENDITURES

BALLOT QUESTION COMMITTEES: GENERALLY

BALLOT QUESTION COMMITTEES: REPORTING

BALLOT QUESTIONS: EXPENDITURES BY CORP/ASSN

BALLOT QUESTIONS: GENERALLY

BUNDLING

BUSINESS CORPORATION

BUSINESS CORPORATION: DISCOUNTS

BUSINESS CORPORATION: ENTITIES SUBJECT TO PROHIBITION

BUSINESS CORPORATION: ENTITIES TO WHICH CORPORATIONS MAY CONTRIBUTE

BUSINESS CORPORATION: GENERALLY

BUSINESS CORPORATION: OFFICERS AND EMPLOYEES

BUSINESS CORPORATION: USE OF CORPORATE RESOURCES TO RAISE CONTRIBUTIONS

CAMPAIGN MANAGER

CANDIDATE

CHAIRMAN

CHARITABLE CONTRIBUTION

COMMINGLING OF FUNDS

COMMITTEE AGENT

COMPLAINT

CONSULTANT

CONTRACT EMPLOYEES

CONTRIBUTIONS: ANONYMOUS

CONTRIBUTIONS: CORPORATIONS AND PARTNERSHIPS

CONTRIBUTIONS: DEFINED

CONTRIBUTIONS: FEDERAL ISSUES

CONTRIBUTIONS: IN-KIND

CONTRIBUTIONS: REFUNDS

CONTRIBUTIONS: TO OR FROM POLITICAL COMMITTEES

CONTRIBUTIONS: TRUE SOURCE

CORPORATE NAME

CORPORATIONS

CREDIT CARDS

DECEASED CANDIDATE

DEFINITIONS

DELEGATE EXPENSES

DEPOSITORY ACCOUNTS

DISSOLUTION

ELECTION COMMISSIONERS

ENDORSEMENT

EQUIPMENT PURCHASES

EXPENDITURES: CAMPAIGN STAFF

EXPENDITURES: CHARITABLE

EXPENDITURES: COMPUTERS

EXPENDITURES: CONSTITUENT AND LEGISLATIVE SERVICES

EXPENDITURES: CONVENTIONS

EXPENDITURES: CREDIT CARD

EXPENDITURES: EQUIPMENT

EXPENDITURES: FEDERAL ISSUES

EXPENDITURES: GIFTS

EXPENDITURES: INAUGURAL EVENTS

EXPENDITURES: JOINT

EXPENDITURES: LEASED CAR

EXPENDITURES: LEGAL

EXPENDITURES: LODGING

EXPENDITURES: MEMBERSHIP COMMUNICATION

EXPENDITURES: MEMBERSHIP DUES

EXPENDITURES: OFFICE SPACE

EXPENDITURES: PERSONAL USE

EXPENDITURES: POLITICAL PURPOSE

EXPENDITURES: POLLING

EXPENDITURES: REPORTING REQUIREMENTS

EXPENDITURES: STANDARD-CONSTITUTIONAL
CANDIDATES

EXPENDITURES: TO SUPPORT CANDIDACY FOR STATE
PARTY

EXPENDITURES: TRAVEL

FEDERAL ISSUES

FINANCE COMMITTEE

FUNDRAISING: CHARITABLE

FUNDRAISING: GENERALLY

GIFTS BY CANDIDATE OR COMMITTEE

GOVERNMENT BUILDING

GOVERNMENT RESOURCES

GUARANTY AGREEMENT

IN-KIND CONTRIBUTIONS

INCORPORATION BY POLITICAL COMMITTEES

INDEPENDENT EXPENDITURES

INDIRECT SOLICITATION

INITIATIVE PETITION

INVESTMENTS BY POLITICAL COMMITTEES

JOINT EXPENDITURES

JOINT FUNDRAISING

LEASE AGREEMENT

LEAVE OF ABSENCE

LEGAL EXPENDITURES

LEGISLATIVE AGENTS

LIABILITIES: SETTLEMENT OF

LIMITED LIABILITY COMPANIES

LOAN FROM CANDIDATE

LOBBYING

LOCAL PARTY COMMITTEES

MAILING LIST

MEDIA ORGANIZATIONS

MEMBERSHIP DUES

MEMBERSHIP ORGANIZATIONS

NAME OF COMMITTEE

NEWSLETTER OR PUBLICATION

NON-MASS. CANDIDATES

NON-MASS. PACS

NON-PROFIT CORPORATIONS

NON-RESIDENT FUNDRAISERS

OCCUPATION AND EMPLOYER

OFFICE SPACE

ORDINARY HOSPITALITY

PACS: CONTRIBUTIONS AND EXPENDITURES BY

PACS: CONTROL BY CANDIDATES AND ELECTED OFFICIALS

PACS: GENERALLY

PACS: NAME

PARTNERSHIPS

PERSON IN THE SERVICE

PERSONAL SERVICES

PERSONAL USE

PLAN E CHARTER

POLITICAL COMMITTEE: GROUPS SUBJECT TO C.55

POLITICAL DESIGNATION

POLITICAL PARTY COMMITTEE

PREEMPTION

PROFESSIONAL CORPORATIONS

PUBLIC BUILDING

PUBLIC EMPLOYEE: CANDIDATE

PUBLIC EMPLOYEE: CHARITABLE OR CIVIC FUNDRAISING

PUBLIC EMPLOYEE: COERCION

PUBLIC EMPLOYEE: CONSULTANT

PUBLIC EMPLOYEE: DEFINED

PUBLIC EMPLOYEE: FEDERAL ISSUES

PUBLIC EMPLOYEE: FUNDRAISER IN HOME OF EMPLOYEE

PUBLIC EMPLOYEE: FUNDRAISING RESTRICTIONS

PUBLIC EMPLOYEE: INDEPENDENT CONTRACTOR

PUBLIC EMPLOYEE: LEAVE OF ABSENCE

PUBLIC EMPLOYEE: PERSONS SUBJECT TO RESTRICTIONS

PUBLIC EMPLOYEE: PUBLIC RESOURCES

PUBLIC FINANCING

PUBLIC RESOURCES: ACTIONS BY POLICY MAKING OFFICIALS

PUBLIC RESOURCES: DISTRIBUTION OF INFORMATION TO VOTERS

PUBLIC RESOURCES: ENTITIES SUBJECT TO PROHIBITION

PUBLIC RESOURCES: EQUAL ACCESS

PUBLIC RESOURCES: GENERALLY

PUBLIC RESOURCES: INTERNET SERVICES

PUBLIC RESOURCES: PAYROLL DEDUCTIONS FOR PAC

PUBLIC RESOURCES: TOWN MEETING ISSUES

RAFFLES

RECALL ELECTION

RECORDKEEPING AND REPORTING: GENERALLY

RESIDUAL FUNDS

SCHOLARSHIP

SOLICITATION

SOLICITATION: CONFLICT OF INTEREST

STATE COMMITTEE CANDIDATE

STOCK

TESTIMONIAL

TESTING THE WATERS ISSUES

TOWN CLERK

TOWN MEETING

TRANSFER

TRAVEL EXPENSES

TREASURER

UNION

WARD, TOWN AND CITY COMMITTEES

Abbreviations and Codes used in this Index

AO	--	Advisory opinion, issued by OCPF
IB	--	Interpretive bulletin, issued by OCPF
M	--	Memorandum, issued by OCPF
M.G.L.	--	Massachusetts General Laws
M.G.L. c. 55	--	Massachusetts General Laws Chapter 55, the campaign finance law
Acts	--	Law as passed during a particular legislative session (e.g., Acts of 1998)
970 CMR	--	Campaign finance regulations, issued by OCPF

Advisory Opinion Index

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
ADMINISTRATIVE COSTS		
	Employees of a business corporation may solicit contributions personally but may not use the corporation's internal referral system. (But see M.G.L. c. 55, s. 10A.)	AO-90-32
	Non-profit corporation may make an in-kind contribution of administrative services to a political committee, subject to certain limitations. A political committee may also reimburse the corporation for such services.	AO-89-17
	Non-profit corporation's provision of staff time and other administrative services to a candidate or a ballot question committee must, in most instances, be reported using the actual cost to determine the value of the service.	AO-89-16
	Contributions may be collected in a separate account for the benefit of a Mass. and non-Mass. political committee and then allocated to each committee. Mass. committee must maintain records and pay administrative costs (determined as a percentage of the total cost of the mailing).	AO-89-14
	An insurance company may administer a commission withholding system to forward individual contributions from agents to a political committee if the company is reimbursed for all expenses. The costs for administering the system may not be deducted from contribution proceeds, but instead, a separate invoice must be issued to the committee.	AO-88-28
	An out of state PAC operating in Massachusetts must reimburse a corporation for anything of value received and otherwise comply with M.G.L. c. 55. See also: IB-82-01 regarding unregistered PAC participation in Mass. campaigns.	AO-87-11
	Association may bear incidental costs of administering PAC, subject to certain disclosure requirements and contribution limitations.	AO-84-12
AFFILIATION		
	PACs, which are "maintained" by the same association, are "affiliated" committees and their contributions will be aggregated to determine compliance with the limits established by M.G.L. c. 55, s. 6.	AO-97-11
	Political committees organized by union and its local are not "affiliated" if they demonstrate that their contributions are not made "in cooperation, consultation or concert" with each other, or at the request or suggestion of any person who establishes, finances, maintains or controls the committees.	AO-90-14
	Political committee consisting of members from several other committees or groups may contribute as a PAC provided no common control exists.	AO-88-21
ANDERSON COURT CASE		
	See "PUBLIC RESOURCES" headings.	
ASSETS: DISPOSITION OF		
	See "RESIDUAL FUNDS."	
ASSOCIATIONS		
	Non-profit corporation which has an affiliated PAC may make contributions of up to \$15,000 from the corporation's general treasury, to candidates, PACs and party committees during a calendar year, if (1) the sum is less than 10% of the corporation's gross annual revenues for the previous year and (2) the corporation's general treasury contains no business or professional corporation funds.	AO-97-21
	An employee of a business corporations' association may not solicit contributions for association's PAC if paid by association.	AO-95-27

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	An association's incidental reference in newsletter to a ballot question is not subject to M.G.L. c. 55.	AO-90-25
	An association receiving largely governmental monies cannot use funds to promote a ballot question.	AO-89-21
	A non-profit corporation's allocation of staff time to support a ballot question or candidate committee is, in most instances, a reportable expenditure. In determining the value of such services, the actual costs should be used.	AO-89-16
	An association may make incidental in-kind contributions to PAC subject to the contribution limitations and the disclosure provisions of M.G.L. c. 55.	AO-84-12
	An association of business corporations is subject to the same restrictions set forth in M.G.L. c. 55, s. 8 that apply to business corporation. Therefore, such an association may not do what its members can not do.	AO-82-20
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<i>BALLOT QUESTION COMMITTEES: CONTRIBUTIONS TO</i>	Ballot question committees may contribute to each other if both committees are registered with OCPF for the purpose of influencing the same ballot question. But see M.G.L. c. 55, s. 6B.	AO-86-14
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<i>BALLOT QUESTION COMMITTEES: DISSOLUTION OF</i>	Ballot question committees must generally dissolve after the vote on the question the committee was organized to support or oppose has taken place. A committee may remain in existence only to support or oppose identical or substantially identical questions (or, in rare instances such as AO-97-10 and AO-95-11, integrally related questions). See also AO-93-30, regarding a committee wishing to support a different question which was considered not substantially identical.	AO-98-08
	A ballot question committee, which is organized to support the passage of an override needed to renovate or expand a school, may remain in existence after the question is defeated to try to obtain a favorable vote several months later when the question is again put on the ballot. The committee may also remain in existence to support a ballot question to obtain funding for the design phase of the project, as well as a later question to obtain funding for the construction work.	AO-97-10
	Ballot question committee may become civic organization in certain circumstances.	AO-96-05
	Ballot question committee can transfer remaining liabilities to another ballot question committee.	AO-95-04
	Ballot question committee may continue in existence despite M.G.L. c.55, s.18, in certain unusual circumstances.	AO-91-21
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<i>BALLOT QUESTION COMMITTEES: EXPENDITURES</i>	A ballot question committee may make expenditures prior to its dissolution if the expenditures are consistent with the committee's purpose.	AO-96-05
	A union, which employs an attorney on a monthly retainer, must report that portion of the attorney's time spent on a ballot question, including time dealing with press to promote or oppose the ballot question. The attorney's time should be valued on a customary rate times hourly basis.	AO-94-41
	A lobbying group may reimburse a ballot question committee for expenditures made by the committee which sought a declaratory judgement regarding the constitutionality of an initiative petition.	AO-93-26
	Lobbying expenses directly related to enhancing a ballot question committee's purpose can be made by committee (Overruling in part AO-89-26, AO-86-15, AO-84-05, AO-83-13, AO-83-06, and IB-90-02).	AO-93-25

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	M.G.L. c.56, s.37 does not prohibit the payment of an existing liability to a state legislator for services as campaign manager of the ballot question committee, in certain cases.	AO-91-20
	Committee expending funds to influence ballot question is subject to c. 55.	AO-86-20
	A ballot question committee may make expenditures in connection with certain legal proceedings but may not make expenditures to lobby or otherwise to influence legislation. But see AO-93-25 overruling the prohibition against a ballot question committee making lobbying expenditures.	AO-86-15
	A ballot question committee may contribute to another ballot question committee if registered with OCPF for the purpose of influencing the same ballot question. Superseded by M.G.L. c. 55, s. 6B as amended by ch. 43 of the Acts of 1994.	AO-86-14
	See also: IB-90-02 which discusses disclosure and reporting of contributions and expenditures relating to ballot questions; IB-95-01 regarding the implementation by ballot question committees of chapters 43 and 292 of the Acts of 1994; and IB-95-02 regarding political activity of ballot question committees and civic organizations involved in ballot question campaigns.	

**BALLOT QUESTION
COMMITTEES:
GENERALLY**

A ballot question committee that is promoting or opposing a ballot question submitted only to the voters of a municipality files with local official not OCPF.	AO-96-13
Ballot question committee may be formed even if election date is unknown.	AO-96-05
Ballot question committee may organize for two specific, identifiable ballot questions.	AO-95-11
Ballot question committees may contribute funds to other ballot question committees, if the recipient committee is organized to support or oppose the same ballot question.	AO-94-28
Out-of-state ballot question committee may solicit and receive contributions to be used to support or oppose Massachusetts ballot question, but must register and file reports with OCPF.	AO-93-35
"Ongoing" ballot question committees were not contemplated by M.G.L. c. 55. A ballot question committee must, therefore, dissolve after a final determination is made by the voters regarding the question for which committee was organized.	AO-93-30
Public school newsletter discussing budgetary matters and effect of ballot question did not violate c.55 because it did not promote or oppose a ballot question.	AO-91-17
The contribution limitations set forth in M.G.L. c. 55, s. 6 do not apply to contributions made to a ballot question committee.	AO-88-32
Assessing one-time fee upon members of group supporting ballot question constitutes solicitation, bringing the group under c. 55.	AO-88-29
See also: IB-90-02, which discusses disclosure and reporting of contributions and/or expenditures relating to ballot questions, and IB-92-02, which discusses extent to which policy-making officials may act or speak in support of or opposition to ballot questions.	

**BALLOT QUESTION
COMMITTEES:
REPORTING**

Political committee attempting to influence ballot question must file under M.G.L. c. 55 and adhere to specific accounting practices. (But see AO-93-25).	AO-83-13
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**BALLOT QUESTIONS:
EXPENDITURES BY
CORP/ASSN**

Union may contribute or expend funds to influence ballot questions, with limitations.	AO-94-28
Corporate expenditures to argue that initiative petition should not be certified by the AG are made "to influence the vote" on a ballot question and are subject to s.22 reporting requirements.	AO-92-27

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	An organization assessing whether to pursue initiative petition is not subject to c.55 until it begins to solicit or expend monies to hire an attorney or other person to draft the petition and obtain signatures of voters.	AO-91-04
	Non-profit organization canvassing for ballot initiative and simultaneously seeking new members would be subject to M.G.L. c.55 for contributions received.	AO-90-22
	Association receiving largely governmental monies cannot use funds to promote ballot question.	AO-89-21
	A non-Mass. corporation expending funds to influence vote on ballot question relating to its property is subject to c. 55, s. 22.	AO-86-01
	Out-of-state non-profit corporation may contribute to ballot question committee. (But see AO-93-25).	AO-83-13
	A business corporation may contribute to ballot question campaign, including the making of expenditures in anticipation that a question will be on the ballot. Such expenditures must be reported in accordance with M.G.L. c. 55, s. 22. (But see AO-93-25)	AO-83-06
	Business corporation may support or oppose ballot question.	AO-82-21

***BALLOT QUESTIONS:
GENERALLY***

	City may make expenditures for legal challenge to attorney general's certification of initiative petition.	AO-93-36
	Corporate participation in initiative petition certification is subject to M.G.L. c. 55, s. 22 reporting requirements. Expenditures/contributions made to originate an initiative petition must be reported as expenditures influencing a "question submitted to the voters."	AO-92-27
	Finance committee may not spend town monies to influence a ballot question.	AO-90-24
	Solicitation which includes reference to possible ballot initiative may not trigger c. 55, where solicitation does not seek contributions for origination of ballot initiative.	AO-90-23
	The act of petitioning a town's board of selectman to put question on the ballot is not subject to c. 55.	AO-90-08
	"Questions submitted to the voters" must appear on a ballot for c. 55 to apply. Issues that are debated in an open forum, such as a town meeting, are not questions "on the ballot" even if resolved by secret vote. But see IB-91-01.	AO-89-32
	Issues, which are only debated at town meeting, are not questions submitted to the voters or on the ballot. Therefore, materials published and disseminated solely to inform voters prior to town meeting are not subject to M.G.L. c. 55.	AO-89-05
	If an issue is not a ballot question, a group may raise and expend funds to educate voters and pay attorney's fee without falling under the provisions of c. 55.	AO-88-23
	Expenditures made by an individual to support or oppose a ballot question are not subject the reporting requirements of c. 55. Such expenditures may be made without limitation; group may communicate regarding policy issues which are not on the ballot without being required to report.	AO-86-20
	Campaign finance law may be triggered in preliminary stages of work supporting or opposing a ballot question, if funds are received or expended in contemplation of a question appearing of a ballot.	AO-85-01
	A political committee may make expenditures in anticipation of question appearing on ballot. (But see AO-93-25).	AO-84-05
	Initiative petition effort is subject to campaign finance law even though question is not yet on the ballot. (But see AO-93-25).	AO-83-13

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
BUNDLING		
	Non-profit corporation, which has some funds from business or professional corporations in its treasury, may not use a segregated fund to insulate those funds from funds used to support PACs, candidates and party committees (overruling, in part, AO-91-31). A non-profit's registered legislative or executive agent may, on the agent's own time, deliver a contribution from a PAC supported by the organization. Such contribution would be a contribution of the PAC only.	AO-98-18
	Corporation's legislative agent may deliver one check from a PAC to a candidate without becoming subject to bundling provisions of M.G.L. c. 55, s. 10A..	AO-96-26
	The bundling provision of the campaign finance law, M.G.L. c. 55, s. 10A does not apply to contributions made to federal candidates.	AO-96-10
	The "bundling provisions" of M.G.L. c. 55, s. 10A do not apply if none of the bundled contributions bundled exceed \$100.	AO-95-35
	Employees of a professional corporation, but not necessarily of a partnership, sole proprietorship, or joint venture, are subject to M.G.L. c. 55, s. 10A.	AO-95-24
	A lobbying organization may have fundraiser for a candidate and not be subject to the bundling provisions of M.G.L. c. 55, s. 10A if the contributions are given directly to candidate and no writing reflects the person who arranged for the bundled contributions.	AO-95-20
	The opinion provides guidance to a PAC regarding the application of the bundling provisions of M.G.L. c. 55, s. 10A to the PAC's legislative agent and treasurer. A PAC, which has a fundraiser to benefit candidates, is not subject to M.G.L. c. 55, s. 10A if contributions are made to, received and deposited by the PAC.	AO-95-17
	Bundling restrictions are not triggered unless legislative agent "bundles" two or more contributions. An agent may sign a fundraising letter or orally promote a fund raising event. In addition, contributions made through an agent to a candidate are subject to M.G.L. c. 55, s. 10A even if the parties are related and regardless of the state or local office sought. Contributions from an agent personally to a candidate are not subject to section 10A.	AO-95-06
BUSINESS CORPORATION		
	An association of business corporations is subject to the same restrictions set forth in M.G.L. c. 55, s. 8 that apply to business corporations. Therefore, such an association may not do what its members can not do.	AO-82-20
	See also: "BALLOT QUESTIONS: EXPENDITURES BY CORP/ASS'N," "LIMITED LIABILITY COMPANIES," "NON PROFIT CORPORATIONS," "PARTNERSHIPS," and "PROFESSIONAL CORPORATIONS."	
BUSINESS CORPORATION: DISCOUNTS		
	A corporation may, in the ordinary course, provide discount coupon books on consignment to a political committee. The committee may accept the coupon books without receiving a prohibited contribution if the committee pays for all books that it does not return and accurately reports the transaction.	AO-96-27
	An insurance company may give discounts to party members without violating s. 8.	AO-96-11
BUSINESS CORPORATION: ENTITIES SUBJECT TO PROHIBITION		
	A chamber of commerce is subject to M.G.L. c. 55, s. 8 if it receives monies from business corporations. Therefore, it may not permit a political committee to use its name or mailing list unless it receives fair market value.	AO-90-30
	A political committee organized to benefit a political party may not solicit or accept corporate monies, even for a scholarship fund.	AO-85-12

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A club organized to support a political party may not solicit or accept corporate advertising in a newspaper to be published on behalf of the party.	AO-85-03
	A convention bureau's corporate fund may not be used to aid or promote the interests of a political party.	AO-83-04
	Business corporations may support/oppose a ballot question by disseminating voter information on the premises of the corporation or to the public, without limitation, but must file reports of expenditures in accordance with M.G.L. c. 55, s. 22.	AO-82-21
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BUSINESS CORPORATION: ENTITIES TO WHICH CORPORATIONS MAY CONTRIBUTE		
	A political party committee may generally accept contributions for a building fund from corporations and individuals in excess of limits imposed by c. 55.	AO-95-15
	A "party building" organization like the Republican Club of Massachusetts is not a political committee. Because the Club promotes a party, however, it may not receive corporate contributions.	AO-94-43
	A business corporation is not prohibited from contributing to a club such as the Middlesex Club, which does not make contributions to candidates or political committees, even if the purpose of the club is to foster the principles of a party.	AO-93-28
	A business corporation may not contribute to redistricting task force if the task force is working to promote the interests of a state party, e.g., all members are of the same party, the name of the group includes the name of the party, and the group plans to coordinate efforts with the party. (See also AO-89-27).	AO-91-12
	A legislative committee created to raise funds to pay for portrait of retired state senator could receive corporate contributions since committee had no political purpose.	AO-90-29
	c.55, s.8 does not prohibit Mass. Corporation from contributing to Non-Mass. candidate.	AO-84-17
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BUSINESS CORPORATION: GENERALLY		
	A corporation may host breakfast for a candidate to the extent expenditures are de minimus and consistent with "ordinary hospitality."	AO-95-32
	Commissions received by a political committee from a corporation for services to be rendered by committee (marketing of telephone services) are prohibited by M.G.L. c. 55, s. 8. In addition, ongoing business ventures of the type anticipated are not consistent with M.G.L. c. 55, s. 7.	AO-93-27
	A corporation wholly owned by a state senator may donate office space for use solely as a legislative district office without violating M.G.L. c. 55, s. 8, if no campaign activity will take place in office. But contact the Ethics Commission.	AO-91-11
	Political committee must compensate association with business corporation funds in its treasury for use of the association's name in the name of the political committee. But see M.G.L. c. 55, s. 5B.	AO-86-17
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BUSINESS CORPORATION: OFFICERS AND EMPLOYEES		
	Corporate officers may be asked for guidance regarding who PAC should contribute to.	AO-96-26
	A corporate employee may solicit contributions from co-workers and forward checks to a political committee, but must ensure that checks identify donor and are given to committee promptly as required by M.G.L. c. 55, ss. 19 and 23. But see M.G.L. c. 55, s. 10A, added to the statute in 1994.	AO-91-02

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
BUSINESS CORPORATION: USE OF CORPORATE RESOURCES TO RAISE CONTRIBUTIONS		
	Although individuals of a corporation may solicit contributions for a candidate, solicitation may not occur through an internal corporate referral system which would be administered by the corporation and would involve the use of corporate resources.	AO-90-32
	A candidate may use a "900" phone number for contributions if the provider of the number directly bills contributors for the phone use charge and includes with such bill a contribution acknowledgement card to be completed by the contributor.	AO-90-15
	An insurance company may administer a commission withholding system to forward individual contributions from agents to a political committee if the company is reimbursed for all expenses. The costs for administering the system may not be deducted from contribution proceeds, but instead, a separate invoice must be issued to the committee.	AO-88-28
	A political committee may not obtain a credit card due to resulting corporate contribution. (Overruled in 1986 when s. 9 of c. 55 was amended to allow political committees to use credit cards).	AO-82-15
CAMPAIGN MANAGER		
	A public employee may be a campaign manager but may not undertake any fundraising activities.	AO-89-11
CANDIDATE		
	The term "candidate" does not include federal candidates.	AO-96-10
	Campaign finance law does not apply to person seeking election to public employee retirement board.	AO-95-31
	A PAC could not make expenditure to support a person seeking election to retirement board.	AO-95-10
	Members of a representative town meeting are not subject to most provisions of the campaign law.	AO-95-03
	A committee may continue to raise and expend funds for individual who recently left office, since the individual may still be considered a "candidate."	AO-93-12
	An employee of organization receiving both state and federal funds may seek elected office under Mass. law.	AO-92-20
	A legislative aide who is also a candidate may attending function on the aide's own time, as a candidate and may campaign actively on the aide's own time.	AO-92-03
	A group supporting candidates for election to representative town meeting is not subject to c.55.	AO-89-12
	Retiring legislator who plans to maintain his committee is a "candidate" subject to c.55. A testimonial dinner for the legislator must be reported by the candidate's committee and would be subject to c. 55.	AO-87-01
	Individual may receive political contributions whether or not his/her name appears on ballot.	AO-86-18
CHAIRMAN		
	Same person may generally be treasurer and chairman.	AO-96-26
	Public employee may chair political committee.	AO-96-16
	Public employee advised against serving as chairman of political committee due to restrictions of M.G.L. c. 55, s. 13.	AO-95-34
	A public employee who is chairman of political committee may not undertake any fundraising activity.	AO-84-02

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
CHARITABLE CONTRIBUTION	See "EXPENDITURES: CHARITABLE."	
COMMINGLING OF FUNDS	A political committee may not commingle funds with funds in the account of another political committee.	AO-89-30
	Mass. and non-Mass. political committees may deposit contributions in a single account, where contributions and the costs for maintaining the account are allocated between the Mass and Non-Mass committees.	AO-89-14
COMMITTEE AGENT	A constitutional candidate's committee may pay travel expenses of candidate and committee's agent if travel undertaken to research issues relating to campaign; however, international travel is not routinely viewed as reasonable expense for statewide candidates.	AO-89-22
	Liaison to Democratic State Committee for candidate committee may, as committee agent, be reimbursed for services.	AO-88-20
COMPLAINT	A town clerk is not required to refer matter to Attorney General where complaint filed does not indicate a violation of campaign finance law.	AO-90-20
CONSULTANT	See "PUBLIC EMPLOYEE: DEFINED," "PUBLIC EMPLOYEE: FUNDRAISING RESTRICTIONS," and "PUBLIC EMPLOYEE: CHARITABLE OR CIVIC FUNDRAISING."	
CONTRACT EMPLOYEES	See "PUBLIC EMPLOYEE: DEFINED" and "PUBLIC EMPLOYEE: INDEPENDENT CONTRACTORS."	
CONTRIBUTIONS: ANONYMOUS	An unsolicited anonymous gift to candidate personally is not a "contribution" subject to the campaign finance law.	AO-94-18
CONTRIBUTIONS: CORPORATIONS AND PARTNERSHIPS	See "CONTRIBUTIONS: BUSINESS CORPORATIONS," "NON-PROFIT CORPORATIONS," "PARTNERSHIPS," LIMITED LIABILITY COMPANIES" and "PROFESSIONAL CORPORATIONS."	
CONTRIBUTIONS: CREDIT CARD	Corporation could not provide fundraising via the Internet to candidates. The process envisioned by the corporation, by which contributors would use credit cards to make contributions, would not ensure that contributions would be limited to \$50.00 during any calendar year from any one contributor.	AO-98-12

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
CONTRIBUTIONS: DEFINED		
	A supporter who provides committee with space in basement of home is providing personal service not a contribution, at least where the space is in a supporter's residence and the owner of the residence shares occupancy. The office might conclude that an in-kind contribution has occurred, however, if space is regularly rented out, is provided by a business entity, or if a homeowner were to move out during the campaign and give exclusive use of the home to a committee.	AO-98-17
	Newspaper space for a column provided to an incumbent legislator is not "contribution" if no solicitation of contributions and no advocacy for or against a candidate are involved.	AO-96-29
	Funds may be received by a ballot question committee to pay for liability incurred in contesting certification of ballot question do not have to be considered "contributions" subject to c. 55. See IB-90-02.	AO-95-44
	Trade association may sell tickets for awards dinner to elected officials at a discount. The discount is not a "contribution" because the purpose is not to enhance the candidate's future.	AO-95-38
	Funds received to pay for legal fees incurred in connection with recount are "contributions." Generally, if funds are given to a candidate for a purpose which is consistent with M.G.L. c. 55, s. 6 (i.e., to enhance political future of candidate) a "contribution" has taken place.	AO-94-42
	A group could pay for broadcasts of a bona fide public service announcement of Attorney General without such payment being considered a "contribution," because such payment would not be made for the purpose of influencing the election of the candidate.	AO-94-30
	Fundraising for college scholarship in name of Attorney General is not a "contribution" subject to c. 55. The fundraising would be for a civic rather than political purpose and would not involve the making of "expenditures" or "contributions."	AO-92-29
	Where public pays committee for refreshments at fundraiser, payments are "contributions."	AO-92-28
	Reimbursements to community meeting organizer was not a "contribution" to her candidacy where meeting did not address candidacy in any way.	AO-92-23
	Bank may waive minimal negative balances on accounts maintained by political committees without making of a "contribution" if non-political committee accounts are treated in similar manner and the procedure is implemented with respect to all political committee accounts.	AO-91-14
	A mailing list is a "contribution" when received by candidate or political committee.	AO-89-17
	Transfer from Mass. to a non-Mass. Political Committee is contribution. But see IB-82-01.	AO-89-14
	Fees paid by delegates at state party convention to state committee are contributions party committee subject to c.55.	AO-86-06

**CONTRIBUTIONS:
FEDERAL ISSUES**

A PAC must report the independent expenditures on schedule B of its campaign finance reports. There are no limits, however, on the amount of such expenditures – whether for a state candidate or a congressional candidate, assuming the making of the expenditures is consistent with the principle for which the PAC was organized.	AO-98-24
Political party committee can accept corporate or excess contributions for building fund if state account pays the fund a share for portion of building to be used for state activity and if other restrictions complied with. But see definition of "contribution" in M.G.L. c. 55, s. 1 and 970 CMR 2.16.	AO-95-15
Payments to benefit the Dukakis presidential committee are limited to \$100. But see IB-82-01, revised May 1997.	AO-88-01

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	State senate/representative candidate committee may contribute up to \$100 year to federal campaign committee. But see IB-82-01, revised May 1997.	AO-85-14
	Ward, city, and town committees may not accept contributions from U.S. Representative's committee. See IB-82-01, revised May 1997.	AO-84-18
	Mass. PAC may contribute to national candidates, subject to restrictions. But see IB-82-01, revised May 1997.	AO-82-14
	Mass. candidate may not receive contributions from committee organized solely under the Federal Election Campaign Act. See IB-82-01.	AO-82-04
	See also: "BUSINESS CORPORATION."	
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CONTRIBUTIONS: IN-KIND		
	A membership organization which supports a PAC may include, with a mailing to members, a contribution envelope to be used by members who choose to make contributions to the PAC. In doing so, the organization would not be making an in-kind contribution to the PAC. Providing the contribution envelope is a membership communication.	AO-98-22
	A party committee may establish a web page and invite committees and candidates to use a "calendar of events" section without charge. Although the committee must report expenditures made to establish and maintain the page, candidates, committees and organizations which use the "calendar of events" are not receiving a "contribution" from the party.	AO-97-13
	Providing the use of a bulk mail permit is an in-kind contribution. At the time of this opinion, the amount of the contribution was \$170 (the cost to obtain the permit).	AO-96-24
	A candidate's committee, which purchases used pick-up truck (which is to be used for campaign activities) for less than book value, must report an in-kind contribution. Generally, candidate should first seek to lease vehicle. See M-97-02.	AO-94-02
	A person who writes and designs a brochure for a candidate may be providing personal services rather than an in-kind contribution. In that instance, the person's incidental expenses are not in-kind contributions.	AO-93-32
	A mailing list is a contribution when received by candidate or political committee.	AO-89-17
	A city may not make mailing labels available free of charge to candidates, but mailing labels may be made available for purchase if all candidates have an equal opportunity to purchase the labels and the purchase price reflects the actual cost to the city of printing the labels.	AO-88-27
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CONTRIBUTIONS: REFUNDS		
	A political committee is not obligated to refund a contribution at the request of a contributor absent facts which suggest that the contribution was illegal. See also 970 CMR 1.04(9).	AO-94-39
	Contributions cannot be refunded to a contributor when a committee dissolves, instead, they must be donated to a charity or other entity specified in the residual funds clause of s. 18.	AO-94-34
	Political committee policy of refunding contributions on request violated c.55, s.6.	AO-91-27
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CONTRIBUTIONS: TO OR FROM POLITICAL COMMITTEES		
	M.G.L. c. 55, s. 11 prohibits a political committee from soliciting contributions from another candidate, but does not prohibit a political committee from soliciting another candidate's political committee.	AO-97-20
	A party committee may establish a web page and invite committees and candidates to use a "calendar of events" section without charge. Although the committee must report expenditures made to establish and maintain the page, candidates, committees and organizations which use the "calendar of events" are not receiving a "contribution" from the party.	AO-97-13

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	An individual may require a candidate to complete a questionnaire to be eligible for the receipt of a contribution.	AO-93-20
	An out-of-state political committee cannot contribute to a Massachusetts political committee or candidate without first registering itself as a Massachusetts political committee.	AO-93-01
	Contributions to a PAC by a candidate committee may be made only if the expenditure enhances the candidate's political future. Such authorization is not without limit: absent unusual circumstances, a candidate committee should give no more than \$1,000 per year to a PAC.	AO-92-04
	A candidate's political committee may sponsor a "meet the voters" event intended to enhance the sponsoring candidate's political future, even though another candidate is the featured speaker.	AO-91-15
	Mass. political committee transfers to non-Mass. committee are subject to limitations of M.G.L. c. 55, s. 6. Contributions to jointly benefit Mass. and Non-Mass. political committees may be deposited in a single account, subject to restrictions. But see IB-82-01, as revised in 1997.	AO-89-14
	A PAC consisting of members from other groups (e.g., labor unions, other political committees), may contribute to Mass. candidates.	AO-88-21
	A candidate with single committee organized at both the state and local level may make expenditures for both races from that committee. Funds raised at the local level may be used for expenditures at state level.	AO-88-05
	Payments by candidate committee to benefit the Dukakis presidential committee are limited to \$100. But see IB-82-01.	AO-88-01
	Ballot question committees may contribute to each other if both committees are registered with OCPF for the purpose of influencing the same ballot question. But see M.G.L. c. 55, s. 6B.	AO-86-14
	Statewide candidate's political committee may not contribute to any other candidate/committee.	AO-85-14
	There is no limit on contributions from PACs to candidates for state constitutional and legislative offices. Overruled by subsequent legislation. See M.G.L. c. 55, s. 6.	AO-85-10
	Limits exist for contributions between political committees.	AO-84-16
	State senator's political committee may contribute up to \$100/year to another candidate's political committee.	AO-83-12
	De minimus benefit, where telephone sets remained in office taken over by new committee, new committee did not have to make short trip to get new telephones from phone company, is not contribution.	AO-83-08
	Mass. PAC may contribute to national candidates, subject to restrictions.	AO-82-14
	Political committee must organize under c.55 and report contributions/expenditures.	AO-82-06

**CONTRIBUTIONS:
TRUE SOURCE**

Party committee could not raise funds by focusing on specific races if persons "earmark" contributions (they would reasonably intend contributions to be used for specific candidate campaign). Segregating the funds and reserving the right to use funds for other purposes would not alter the conclusion that the plan would not comply with the law. A party committee may, however, raise funds for a slate of candidates.	AO-98-15
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CORPORATE NAME

Chamber of Commerce may not permit PAC to use its name, unless fee is charged which is at least what would be charged to other entity for such use.	AO-90-30
A political committee must pay the fair market value for the use of a corporation's name, unless the corporation allows such use by other entities and the same amount is charged that would be charged other entities.	AO-90-06
Political committee must pay fair market value for use of corporate name.	AO-86-17

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
CORPORATIONS		
	See "BUSINESS CORPORATION," "NON-PROFIT CORPORATION," PROFESSIONAL CORPORATION, and "LIMITED LIABILITY COMPANIES."	
CREDIT CARDS		
	See "EXPENDITURES: CREDIT CARD" and "CONTRIBUTIONS: CREDIT CARD."	
DECEASED CANDIDATE		
	See "RESIDUAL FUNDS."	
DEFINITIONS		
	"Advertisement."	AO-96-29
	"Building or part thereof"	AO-91-19
	"Candidate"	AO-93-12
	"Elected officer"	AO-91-10
		AO-93-21
		AO-91-26
		AO-92-06
	"Expenditures"	AO-92-05
	"Independent contractor"	AO-93-24
	"Indirect solicitation"	AO-93-10
	"Legislative service"	AO-93-22
	"Necessary"	AO-91-23
	"Ordinary hospitality"	AO-93-17
		AO-91-09
	"Person employed for compensation"	AO-92-17
	"Person in the service"	AO-92-16
		AO-92-31
	"Personal Use"	AO-91-06
	"Persons in the service"	AO-92-01
		AO-89-05
	"Question submitted to the voters"	AO-93-07
DELEGATE EXPENSES		
	Candidate's political committee may pay expenses related to attending party's national convention.	AO-92-14
	Delegate fees paid by delegates to the party's state committee are contributions to the party committee subject to the disclosure requirements of c.55.	AO-86-06
	City, ward, and town committees may pay reasonable travel and related expenses for convention delegates. The expenses must be reasonable, and may only include delegate fees, transportation, and room and board expenses. All delegates must be treated in the same manner.	AO-85-07
	City, ward, and town committees may pay reasonable travel and related expenses for convention delegates. The expenses must be reasonable, and may only include delegate fees, transportation, and room and board expenses. All delegates must be treated in the same manner.	AO-85-05

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A convention bureau's corporate fund may be utilized for certain expenditures which could not be made by political committee, e.g., expenditures to benefit individuals in a personal manner (such as providing security or housing reservation services) or to promote the city where the convention takes place.	AO-83-04
DEPOSITORY ACCOUNTS		
	Member of the Franklin Council of Governments Executive Committee is a "candidate" and must file pre-election and year-end reports with OCPF. Although he previously was a County Commissioner subject to the requirements of M.G.L. c. 55, s. 19, as a member of the Executive Committee, the member would no longer be a depository candidate.	AO-98-13
	Depository candidate should use credit card, not wire transfer, to pay for computer service provided to committee and then be reimbursed by committee. Law does not contemplate committee expenditures by electronic transfer.	AO-95-22
	Group interested in eventually forming new political party will need to open a depository account if the requirements for becoming a party are satisfied.	AO-94-29
	Candidate for city council is not a "depository candidate" and is not required to deposit committee funds in a trust company or national bank. But see M.G.L. c. 55, s. 19(a) as amended (requiring candidates for mayor or other citywide office in certain cities to file as depository candidates). Banks may choose not to open a depository account for a depository candidate.	AO-93-15
	A political committee organized on behalf of a depository candidate must designate a depository bank, but does not have to open a bank account absent campaign finance activity.	AO-93-05
	The treasurer/cashier of a depository bank has legal responsibility to sign and file reports required by statute. To accommodate deadlines in statute, an authorized employee may sign on behalf of the treasurer/cashier.	AO-82-12
DISSOLUTION		
	See "RESIDUAL FUNDS" and "BALLOT QUESTION COMMITTEES: DISSOLUTION OF."	
ELECTION COMMISSIONERS		
	Board of Election Commissioners in City of Somerville is agency responsible for keeping and maintaining campaign finance reports.	AO-94-07
ENDORSEMENT		
	An association may endorse a particular candidate.	AO-84-12
	See also "NEWSLETTER/PUBLICATION" and "ASSOCIATIONS."	
EQUIPMENT PURCHASES		
	A state representative's political committee may purchase computer which will be used solely for constituent services.	AO-94-16
	A candidate and member of a school committee may use campaign funds to purchase a second telephone line and answering machine for the candidate's home.	AO-93-21
	Fax machine purchased by legislator's political committee for primarily political purposes may be kept in state office, while not being used for political fundraising purposes. But see M.G.L. c. 55, s. 6, which now allows use of campaign funds for constituent/legislative services.	AO-91-06
	Computer purchased by political committee may not be used for legislator's governmental activities. (But see M.G.L. c. 55, s. 6, which now allows campaign funds to be used for constituent/legislative services).	AO-88-30

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Campaign funds may be used to buy computer to be used for political purposes. (But see M.G.L. c. 55, s. 6, which now allows campaign funds to be used for constituent/legislative services). The computer, if used in State House, may not be used for fundraising.	AO-88-14
	Legislator's political committee may purchase computer for political purposes but it must be removed from state office if used for fundraising. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent/legislative services).	AO-88-09
	Legislator's political committee may purchase computer for political purposes but it must be removed from state office if used for fundraising. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative purposes).	AO-86-02
	With proper disclosure incumbent may purchase computer with personal funds and contribute its use on an occasional basis to political committee.	AO-84-01
	Political committee may purchase computer for candidate but its use must be primarily political. But see M.G.L. c. 55, s. 6, which now allows expenditures for constituent/legislative services.	AO-83-10
	Political committee may purchase computer for incumbent official but it cannot be located in a state office. (But see M.G.L. c. 55, s. 6, which now allows expenditures for constituent/legislative services).	AO-82-05
	See also "EXPENDITURES: COMPUTERS" and "EXPENDITURES: GENERALLY."	
EXPENDITURES: CAMPAIGN STAFF		
	Political committee funds may be used to pay a Senator's staff members to perform campaign activities for Senator, if staff members are not already compensated for by the commonwealth for that time.	AO-98-20
EXPENDITURES: CHARITABLE		
	A candidate and members of the candidate's family may serve as an honorary member of the board of a charitable entity receiving funds from the candidate's committee, but may not be "involved in any manner in the operations" of the entity.	AO-97-19A
	A candidate committee may make initial contributions to establish a charitable foundation, and also may make annual contributions to the foundation.	AO-97-19
	Charitable contributions by political committees must be made in accordance with M.G.L. c. 55, s. 6 and 970 CMR 2.06(3)(a). Such contributions do not, however, have to be "incidental" to the total annual political committee expenditures in order to comply with the campaign finance law or regulations (overruling contrary guidance in AO-94-20, AO-89-29, AO-88-31, AO-86-19 and AO-83-14).	AO-97-18
	Committee can host fundraiser for charity, but funds must be given directly to the charity and the committee may not be involved in the ongoing administration of the charity.	AO-95-25
	Committee may reimburse candidate for tickets to a sports event donated by the candidate to a charity, or to a campaign worker if the gift reflects the contributions made by the worker and is made in a timely manner.	AO-94-44
	A political committee may make a contribution to a scholarship fund if the amount contributed is incidental to the total expenditures of committee, but may not solicit for the scholarship or administer the scholarship. (Overruled, in part, by AO-97-18).	AO-94-20
	A constitutional candidate's political committee could make charitable donation to an organization if the contribution complies with 970 CMR 2.05(2)(w). In addition, the recipient organization may not itself be a political committee or making expenditures exceeding the incidental threshold established in IB-91-01.	AO-93-06
	Political committee may make charitable contribution if regulations complied with, and if expenditures are incidental and support primary purpose for which the committee was organized. (Overruled, in part, by AO-97-18).	AO-89-29
	Committees may make incidental expenditures to support a charity. Charitable contributions amounting to 50% of committee's total expenditures are not "incidental." (Overruled, in part, by AO-97-18).	AO-88-31

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Committee's mailing list may be donated to corporation engaged in non-political fundraising provided requirements for charitable contributions are met. The mailing list may not be given to charity if candidate is on board of directors of a charity.	AO-88-15
	Charitable expenditures must be consistent with committee's purpose in enhancing candidate's political future.	AO-86-19
	Candidate's committee may contribute to charitable organizations if candidate is not involved in the operation of the organization.	AO-86-05
	State senator's committee may not contribute to scholarship fund if the candidate is significantly involved in the operation of the fund.	AO-85-11
	Candidate's political committee may contribute to a charitable trust, if contribution is of reasonable value and the purpose of the contribution is to enhance the political future of the candidate. (Overruled, in part, by AO-97-18).	AO-83-14

**EXPENDITURES:
COMPUTERS**

Corporation could not provide fundraising via the Internet to candidates. The process envisioned by the corporation, by which contributors would use credit cards to make contributions, would not ensure that contributions would be limited to \$50.00 during any calendar year from any one contributor.	AO-98-12
Legislator may use campaign funds to pay for creation of internet home page to be used to provide legislative information to constituents.	AO-97-06
Committee may pay for an on-line service to solicit contributions, but may receive contributions by wire transfer only if less than \$50 in a calendar year. But see AO-98-12.	AO-95-24
Depository candidate should use credit card, not wire transfer, to pay for computer service provided to committee.	AO-95-22

**EXPENDITURES:
CONSTITUENT AND
LEGISLATIVE
SERVICES**

The costs associated with a legislator and the legislator's aide attending a conference relating to legislation in China may be paid for by a political committee. The expenditure would be made to enhance the candidate's political future. In addition, it would be associated with providing legislative services. (Overruling, in part, AO-89-22, AO-92-08 and AO-92-10).	AO-98-19
Legislator may use campaign funds to pay for creation of internet home page to be used to provide legislative information to constituents.	AO-97-06
Legislator's committee may not pay a share of legislator's law office rent even if office is used in part to provide constituent services. In this instance the office would be used primarily for personal business as it would be used as law office about 75% of the time.	AO-96-21
State representative's political committee may purchase computer which will be used solely for constituent services.	AO-94-16
Expenses for commuting between district and State House, including car lease payments, may be paid by political committee if car is not used for personal travel and per diem is not accepted by legislator. But see M-97-02 and M-97-03.	AO-94-10
Representative's committee may hold appreciation party for legislative aide, to recognize aide's provision of legislative services.	AO-94-08
Expense of legislator and aide attending conference, determined to be legislative service, may be paid by political committee.	AO-93-22
A candidate and member of a school committee may use campaign funds to purchase a second telephone line and answering machine, to be used to respond to constituent inquiries, for the candidate's home.	AO-93-21

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Committee can produce and distribute informational newsletter concerning public schools or pay speakers to appear at parent meetings if the expenditures are made to enhance the candidate's political future or to facilitate constituent services.	AO-93-18
	A political committee of a planning board member may could pay planning board's cost of mailing information describing board initiatives to community because the mailing is a constituent service and would also enhance the candidate's political future.	AO-93-13
	The term "personal use" no longer includes expenses related to constituent and legislative services. See Acts of 1992, ch. 133, s. 379, which amended M.G.L. c. 55, s. 6 to exclude the provision of constituent or legislative services including maintaining legislative district offices, if such expense is not paid by the Commonwealth or other governmental body, from the definition of personal use.	AO-92-31
	Political committee may pay for candidate's 1-800 phone line to be used for political purposes. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-92-12
	Computer purchased with committee funds may not be used to draft response letters to constituent inquiries. But see M.G.L. c. 55, s. 6 which now allows expenditures to pay for constituent and legislative services.	AO-88-30
	Candidate's political committee may not purchase items primarily used in the candidate's official capacity. But see M.G.L. c. 55, s. 6 which now allows expenditures to pay for constituent and legislative services.	AO-87-05A
	Political committee may purchase word processor for incumbent to communicate with constituents and to expand incumbents base of support. Word processor may not be kept in a state office. But see M.G.L. c. 55, s. 6 which now allows expenditures to pay for constituent and legislative services.	AO-83-10
	See also: "EXPENDITURES: PERSONAL USE."	
EXPENDITURES: CONVENTIONS	See "DELEGATE EXPENSES."	
EXPENDITURES: CREDIT CARD	A political committee may pay expenses which an individual credit card holder incurs on behalf of the committee, if committee complies with recordkeeping and disclosure requirements.	AO-94-12
	Political committee may not obtain three-party credit card due to resulting corporate contribution (But see M.G.L. c. 55, s. 9 which now allows committees to obtain credit cards).	AO-82-15
EXPENDITURES: EQUIPMENT	See "EQUIPMENT PURCHASES."	
EXPENDITURES: FEDERAL ISSUES	Political committee may only pay \$100 toward travel/related expenses for candidate to work on the Dukakis campaign as such expenditures would primarily inure to the benefit of the Dukakis Committee. But see IB-82-01, as revised in 1997.	AO-88-01
	Mass. PAC may expend money for incidental purposes in endorsing a national candidate. Such contributions must be consistent with principle of committee. But see IB-82-01, as revised in 1997.	AO-82-14
	See also: IB-93-01 which discusses relationship between Federal and Mass. law relating to committee payments of expenses.	

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
EXPENDITURES: GIFTS		
	Restriction as to "personal relationship" in regulations applies only if the personal relationship is the primary reason for gift. A candidate may make expenditures for gifts to be given to major contributors, if regulations are complied with.	AO-96-17
	Sheriff's political committee may make expenditures for gifts to be given to sheriff's employees who invite sheriff to social functions, if gifts are of reasonable value, not made to a relative or friend, appropriate for the occasion, and made to a constituent or in other manner that results in publicity and political good will. See 970 CMR 2.06(3)(b)(2).	AO-94-15
	State representative's political committee may hold appreciation party for legislative aide who is leaving staff. In this instance, expenditure would primarily be a recognition of the aide's role in providing legislative services.	AO-94-08
	A non-constitutional candidate's committee may reimburse candidate's spouse for reasonable expenditures made by spouse for gifts given to constituents/supporters.	AO-91-01
	Constitutional candidates could not give contributions to a legislative committee created to raise funds to pay for a portrait of retired state senator because the regulations for giving gifts are more stringent for such candidates than for other candidates.	AO-90-29
	A state representative's political committee may hold an appreciation party for campaign workers/supporters.	AO-85-02
EXPENDITURES: INAUGURAL EVENTS		
	Both campaign funds and privately raised funds may be used to pay for an inaugural ceremony or event provided no private funds financially benefit the elected official or that official's political committee. See also AO-97-25.	AO-98-25
EXPENDITURES: JOINT		
	Candidates running as a team for the offices of governor and lieutenant governor may make joint expenditures for media time. The committee may apportion payment of bills based upon the amount of air time allocated to each candidate or based on relative benefit to each candidate. See 970 CMR 2.11.	AO-94-33
	Committees for the various state officers may jointly host a reception at their party's national convention, if each pays for an equal share of the expenses.	AO-92-15
	See also: Weld for Governor v. Director of OCPF, 407 Mass 761. (1990); 970 CMR 2.11; and IB-94-01 (relating to allocation of shared expenses by state party committees).	
EXPENDITURES: LEASED CAR		
	Political committee may lease car if used at least 50% of time for political travel. But see M-97-02 and M-97-03.	AO-89-20
	A political committee may lease a car to be used primarily for political purposes, or may reimburse the owner of a car used for occasional political travel, on a mileage or expense basis. But see M-97-02 and M-97-03.	AO-87-02
	Political committee may pay for that portion of leased vehicle used for political purposes. But see M-97-02 and M-97-03.	AO-84-10
	Political committee may lease car for candidate but may not pay for non-political use. But see M-97-02 and M-97-03.	AO-83-01
EXPENDITURES: LEGAL		
	The state political committee organized on behalf of a candidate who seeks federal office may pay legal fees incurred in a civil action seeking a declaration that the candidate won a federal election, if such payment is consistent with federal law.	AO-97-02

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A political committee may pay legal expenses in connection within litigation concerning the counting of write-in votes and certification for the position of vice-chair of a city council.	AO-96-18
	A ballot question committee may raise funds and make expenditures to satisfy liability incurred in connection with certification of ballot question.	AO-95-44
	Political committee may pay candidate's legal expenses associated with Ethics Commission review and subsequent criminal prosecution under conflict of interest law where the review was made public. Overruling AO-85-13.	AO-95-40
	A political committee may pay for a candidate's legal expenses related to filing criminal complaint if the incident which gave rise to the complaint arose out of the campaign and may affect the candidate's political future.	AO-95-16
	A separate fund cannot be used to collect donations to pay for candidate's legal fees incurred in connection with recount. Funds given for the purpose of paying these costs are "contributions."	AO-94-42
	A union which employs an attorney on a monthly basis to provide various legal services may use the attorney to represent the union in connection with the qualification of a ballot question. The union must report the expenditure as the amount obtained by multiplying the attorney's usual rate per hour by the number of hours spent on the issue.	AO-94-41
	A political committee may pay for candidate's legal expenses incurred in defending against defamation claim, but it may not judgment.	AO-94-31
	A political committee may pay for candidate's legal expenses related to Ethics Commission review where the review was made public and the publicity is likely to have a negative impact on the candidate's political future..	AO-94-25
	The city of Cambridge may make expenditures for a legal challenge to the Attorney General's certification of an initiative petition on a matter pertaining to cities and towns if the city does not use the litigation to influence the vote.	AO-93-36
	A ballot question committee may make expenditures to further adoption of the initiative petition supported by the committee.	AO-93-26
	A political committee cannot pay for a volunteer's legal expenses resulting from an altercation of personal nature.	AO-93-08
	A political committee may pay for candidate's legal expenses related to Ethics Commission review where the review was made public and the publicity is likely to have a negative impact on the candidate's political future.	AO-92-18
	A constitutional candidate's committee may pay for candidate's legal expenses related to Ethics Commission review where the review was made public and the expenditure would be "reasonable and necessary and directly related to the campaign."	AO-91-26
	Political committee may not pay legal expenses incurred by state legislator in his capacity as state legislator rather than as a candidate. But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services.	AO-91-22
	School committee may, consistent with the Anderson opinion, retain counsel to advise superintendent of his responsibilities under c.55.	AO-91-18
	Expenses associated with candidate's arrest (for disorderly conduct involving obstruction of a gate to a football stadium while making a campaign appearance) are not for "personal use." Candidate may not, however, form another political committee to raise funds to pay the expenses.	AO-91-13
	Committee may pay reasonable expenses connected with a State Ethics Commission investigation where the investigation called into question the integrity and reputation of the candidate, may effect the outcome of an election, or requires the candidate to respond in a public forum. A fine resulting from the investigation may not, however, be paid.	AO-91-08
	Candidate's committee may reimburse candidate for legal expenses resulting from libel action where suit brought by campaign press director of opponent based on statements made by candidate during campaign.	AO-90-21

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Political committee may defray legal expenses incurred in candidate's defamation action if case arises from the campaign (e.g., from campaign literature or appearances) or the words at issue directly relate to the candidate's political future.	AO-85-16
	Political committee may not expend funds defending candidate against indictments alleging violations as public official. (Overruled by 95-40).	AO-85-13
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EXPENDITURES: LODGING		
	Legislator's expenses for lodging while attending legislative conference may not be paid by political committee if legislator also receives per diem.	AO-94-19
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EXPENDITURES: MEMBERSHIP COMMUNICATION		
	A non-profit corporation made up of business corporations is not a membership communication. The non-profit may, however, communicate with members in the ordinary course without thereby making a contribution or expenditure. A communication which urges the election or defeat of a candidate, not in the ordinary course, would violate M.G.L. c. 55, s. 8. Such a corporation may solicit and receive contributions as an agent of a PAC organized by the corporation.	AO-98-01
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EXPENDITURES: MEMBERSHIP DUES		
	Candidate committee may pay for social club membership of officer or employee of committee, if the officer or employee would not be a member but for the person's participation in the political committee, and the expenditure is made primarily to benefit the candidate's political future.	AO-95-24
	Candidate's committee may pay organization dues if candidate would not have joined but for enhancing his political future.	AO-88-12
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EXPENDITURES: OFFICE SPACE		
	Legislator's committee may not pay a share of legislator's law office rent even if portion of office is sometimes used to provide constituent services.	AO-96-21
	Political committee may pay additional cleaning costs to maintain campaign office in one's home.	AO-92-05
	A corporation which is wholly owned by a state senator may donate office space for use as a legislative district office, if office is not used for political purposes. (But see M.G.L. c. 55, s. 6, which now allows expenditures to open or maintain district office).	AO-91-11
	Candidate's committee may make expenditures to equip/refurbish district office provided it is used for political purposes. (But see M.G.L. c. 55, s. 6, which now allows expenditures to open or maintain district office).	AO-89-06
	A candidate's committee may share/sublet office space from another organization if fair market value is paid.	AO-89-01
	A state senator who also has law office may be reimbursed by his committee for portion of office used primarily for campaign purposes, e.g., if 18% of space used for campaign purposes, 18% of rent may be paid for by committee.	AO-86-08
	Expenditures relating to establishing campaign office in candidate's home must be reasonable and appropriate.	AO-83-02
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EXPENDITURES: PERSONAL USE		
	A supporter who provides a committee with space in basement of home is providing personal service rather than an in-kind contribution, at least where the supporter shares occupancy, and the space is not regularly rented out.	AO-98-17
	Campaign funds may be used to plan inaugural ball. The holding of an inaugural ball is part of the transition of government, and like the provision of constituent services, such expenditures are incurred in connection with the performing of official duties. (Overruling AO-91-28).	AO-97-25

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A political committee may pay for ticket for elected official's attendance at a trade association awards dinner if the candidate is attending the dinner to enhance his political future.	AO-95-38
	A committee may pay for supporters' breakfast after funeral of candidate. Although the funeral would be considered "personal," costs associated with an event which would not have taken place but for the candidacy of the decedent are costs associated with terminating the committee.	AO-95-21
	A candidate's political committee may pay for candidate's participation in and sponsorship of golf tournament if participation is primarily to enhance candidate's political future.	AO-94-22
	Legislator's expenses for lodging while attending legislative conference may not be paid by political committee if legislator also receives per diem.	AO-94-19
	State representative's political committee may hold appreciation party for legislative aide who is leaving staff. In this instance, expenditure would primarily be a recognition of the aide's role in providing legislative services.	AO-94-08
	A political Committee can pay candidate's spouse for work done for campaign, but facts in this instance suggested there was no need to do work (classification of boxes of records of previous campaigns). Therefore, it was determined that work would not enhance political future and expenditure would not be appropriate.	AO-94-05
	Political committee may not pay rent for legislator's Boston apartment, which is primarily for personal use.	AO-93-14
	A political committee could pay for food provided to persons attending governmental meeting and for audio-visual resources if purpose of expenditures is to enhance candidate's political future. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-93-13
	A political committee cannot pay for volunteer's legal expenses resulting from altercation of personal nature.	AO-93-08
	A political committee may pay for candidate's 1-800 phone line if used for political purposes. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-92-12
	A political committee may pay for additional cleaning costs due to maintaining campaign office in one's home. In addition, the committee may pay rent clothing such as tuxedos for a political function (but may not pay for "everyday clothing attire" intended to produce a "better" image").	AO-92-05
	Political committee may not make expenditures or provide assets such as contributor lists, to assist legislator seeking to raise funds to pay for personal expenses. In addition, funds raised to pay personal obligations may not be used to assist candidate in elimination of financial obligations to the committee.	AO-91-29
	Privately funded transition committee (but not political committee) may pay for formal swearing-in ceremony but not victory ball. (Overruled by AO-97-25).	AO-91-28
	A political committee may not reimburse state representative's telephone calls which relate to official duties but may reimburse for calls relating to campaign. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-91-07
	Personal use includes any business, governmental, legislative, family, or social use. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-91-06
	Any purchase/lease of equipment/services by a committee from a business in which the candidate has an interest is deemed a personal use, unless (1) the revenue obtained by the business is incidental (less than 1%) to the business's gross revenues, and (2) the equipment or services were not obtained by the business for use by the committee.	AO-89-18
	A political committee may establish a campaign office in the candidate's home but use of the office must be restricted -- it may not be used to enhance the personal lifestyle of the candidate or any other person, e.g., it may not be used to entertain personal guests. Upon dissolution of the committee, items acquired by the political committee to furnish office must be disposed of pursuant to M.G.L. c. 55, s. 18.	AO-83-02

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Campaign funds may not be used to pay parking tickets.	AO-82-24
	Political committee may not obtain three-party credit card due to resulting corporate contribution (But see M.G.L. c. 55, s. 9 which now allows committees to obtain credit cards). Clothing ordinarily purchased by individuals for everyday wear may not be purchased by a committee for a candidate, even if the clothing would be worn during campaign.	AO-82-15
	See also: "EXPENDITURES: CONSTITUENT AND LEGISLATIVE SERVICES," Acts of 1992, ch. 133, s. 379, which amended M.G.L. C. 55, s. 6 to exclude the provision of constituent or legislative services including maintaining legislative district offices, if such expense is not paid by the Commonwealth or other governmental body, from the definition of "personal use" and AO-92-31.	
EXPENDITURES: POLITICAL PURPOSE		
	Political committee could pay planning board's cost of mailing information to community describing board initiatives and for food and audio media resources at government meeting if candidate's political future enhanced. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-93-13
	A computer purchased by political committee may not be used for legislator's governmental activities. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-88-30
	Expenditure may be made for use of computer for political purposes includes sending letters to constituents and donors. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-88-14
	Political digest published/edited by candidate is not subject to c.55 unless used to enhance candidate's future. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-87-07
	Funds received by party state committee for litigation expenses regarding charter are not received for political purpose. (But see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-84-11
EXPENDITURES: POLLING		
	Massachusetts candidate's campaign funds may, consistent with the Massachusetts campaign finance law, be used to assess a possible federal candidacy, but such expenditures would probably not be consistent with Federal law and regulations.	AO-98-07
	An individual may use his own funds to pay for a poll to help him decide whether to run for office. The poll may not be used to encourage persons to vote for the individual if the individual actually does run for office.	AO-97-22
	An organization assessing whether to pursue initiative petition is not subject to c.55 until it begins to solicit or expend monies to hire an attorney or other person to draft the petition and obtain signatures of voters.	AO-91-04
	An incumbent state legislator's political committee may make incidental expenditures to determine whether to run for federal office. (But see AO-98-07).	AO-84-07
EXPENDITURES: REPORTING REQUIREMENTS		
	A political committee may pay expenses which an individual credit card holder incurs on behalf of the committee, if committee complies with recordkeeping and disclosure requirements.	AO-94-12
	A candidate incurring liability separate from political committee is required by M.G.L. c.55, s.18 to file a report reflecting that activity.	AO-93-02

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
EXPENDITURES: STANDARD- CONSTITUTIONAL CANDIDATES		
	A constitutional candidate's committee may pay for candidate's legal expenses related to Ethics Commission review where the review was made public and the expenditure would be "reasonable and necessary and directly related to the campaign."	AO-91-26
	A political committee may expend funds to purchase and distribute reprints of a newsletter published by a constitutional officer in the regular course of his responsibilities. "Reasonable and necessary" and "directly related" to the campaign means "reasonably useful and proper."	AO-91-23
EXPENDITURES: TO SUPPORT CANDIDACY FOR STATE PARTY	See "STATE COMMITTEE CANDIDATE."	
EXPENDITURES: TRAVEL		
	The costs associated with a legislator and the legislator's aide attending a conference relating to legislation in China may be paid for by a political committee. The expenditure would be made to enhance the candidate's political future. In addition, it would be associated with providing legislative services. (Overruling, in part, AO-89-22, AO-92-08 and AO-92-10).	AO-98-19
	A candidate may be reimbursed for reasonable costs incurred in attending a conference if attending the conference enhanced the candidate's ability to provide legislative and constituent services. If the candidate arrives early or remains after the conclusion of the conference, meals, lodging or other expenditures could not be reimbursed with campaign funds.	AO-96-08
	Expenses for commuting between district and State House, including car lease payments, may be paid by political committee if car is not used for personal travel and per diem is not accepted by legislator. But see M-97-02 and M-97-03.	AO-94-10
	A candidate's committee may purchase used pickup truck for campaign purposes. Before purchasing a vehicle, a committee must first try to lease a vehicle at a reasonable cost. But see M-97-02 and M-97-03.	AO-94-02
	Expense of legislator and aide attending conference, involving the development of strategies in an area of concern to the legislator, may be paid by political committee.	AO-93-22
	Candidate's committee may purchase a van to be used as traveling campaign office, but first must try to lease van. Van must be used primarily for campaign purposes. (But see M-97-02 and M-97-03 and M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-92-22
	Political committee may pay expenses of trip to Ukraine for conference if trip will enhance political future of candidate and candidate has demonstrated interest in issues to be discussed at conference. (Overruled in part by AO-98-19; see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-92-10
	A mayor's political committee may pay travel expenses for mayor's trip to Europe where it serves both political and governmental purposes, if primarily political. Committee may not pay candidate's children's travel expenses but may pay wife's (she is treasurer) if trip is within scope of her responsibilities. (Overruled in part by AO-98-19; see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-92-08
	A constitutional candidate's committee may pay travel expenses of candidate and committee's agent if travel undertaken to research issues relating to campaign; however, international travel is not routinely viewed as reasonable expense for statewide candidates. (Overruled in part by AO-98-19; see M.G.L. c. 55, s. 6 which now allows expenditures for constituent and legislative services).	AO-89-22

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Candidate committee may reimburse person acting as liaison to the party state committee, as an agent of the committee, for reasonable travel expenses.	AO-88-20
	Travel expenditures made to enable candidate to work for another candidate are in-kind contributions to that candidate.	AO-88-01
	Staff/Constituents may be reimbursed for providing transportation (including mileage at \$.20 per mile for car use) to a candidate. (But see M-97-02)	AO-86-07
	City, ward, and town committees may pay reasonable travel and related expenses for convention delegates. The expenses must be reasonable, and may only include delegate fees, transportation, and room and board expenses. All delegates must be treated in the same manner.	AO-85-07
	City, ward, and town committees may pay reasonable travel expenses of delegates to state party convention. Such expenditures may be for delegate fees, room and board and transportation only.	AO-85-05

FEDERAL ISSUES

A PAC may be created with two separate accounts, one for federal candidates and one for state candidates, provided the funds are segregated. The state account would organize as a Massachusetts PAC and would be subject to the Massachusetts campaign finance law.	AO-97-08
The state political committee organized on behalf of a candidate who seeks federal office may pay legal fees incurred in a civil action seeking a declaration that the candidate won a federal election, if such payment is consistent with federal law.	AO-97-02
Massachusetts candidate may participate in joint fundraising event with federal candidate, but must comply with Mass. regulations.	AO-96-20
Term "candidate" does not include federal candidates and therefore the bundling provisions of s. 10A do not apply to campaigns for federal office. The opinion also notes, however, that federal law does not preempt M.G.L. c. 55, ss. 13-17.	AO-96-10
Employee of non-profit corporation which receives federal funds to provide community services should contact the U.S. Merit Systems Protection Board for information regarding Hatch Act.	AO-95-41

FINANCE COMMITTEE

Finance committee may use public resources to distribute a report which does not mention an override election before town meeting. The campaign finance law does not prohibit distribution of information relating to both the town meeting warrant article and a related ballot question -- if the information primarily relates to the warrant article and distribution is consistent with the responsibilities of the distributing agency or official. (Overruling, in part, AO-96-30).	AO-98-11
M.G.L. c. 39, s. 16, which authorizes finance committees to report "to the town" on all "municipal questions," applies to information to be distributed to town meeting or other town bodies, not the voters of the town in regards a ballot question.	AO-97-16
Finance committee may recommend voting for/against ballot question but may not expend town monies in this effort. Finance committee may take a vote on whether the committee is in favor of ballot question.	AO-90-24
Town finance committee may disseminate materials influencing outcome of town meeting, but individual members of finance committee may promote/oppose issues submitted to voters.	AO-89-05
Town finance committee raising monies for political purposes is subject to c.55 and the treasurer of the committee or the town treasurer must disclose such expenditures with the town clerk in accordance with M.G.L. c. 55, s. 22A.	AO-89-02

FUNDRAISING: CHARITABLE

A political committee can host fundraiser for charity, but committee may not be involved in the on-going operations of the charity.	AO-95-25
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<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	See also: "PUBLIC EMPLOYEE: CHARITABLE OR CIVIC FUNDRAISING" and "SCHOLARSHIP."	
FUNDRAISING: GENERALLY		
	Corporation could not provide fundraising via the Internet to candidates where contributors would use credit cards to make contributions. In addition, proposal would not ensure that contributions would be limited to \$50.00 during any calendar year from any one contributor and would involve the payment to the corporation of a 15% fee from each contribution prior to distribution.	AO-98-12
	Former candidate may have fundraiser to retire civil penalty assessed by OCPF and Attorney General in Disposition Agreement, but must first dissolve his political committee.	AO-96-31
	Discount coupon books may be provided to committee, for the committee to distribute to potential contributors as an incentive to encourage contributions, on consignment. The committee must pay the corporation providing the books the books' market value.	AO-96-27
	Electronic transfer of funds by contributors to candidates/committees is prohibited. But see M.G.L. c. 55, s. 9A.	AO-95-09
	A political committee may purchase items from an auction company and hire the company to conduct a fundraising auction. The committee must pay fair market value for items purchased, hire company at its usual charge, maintain records and implement safeguards to avoid receipt of excess contributions.	AO-93-31
	Refreshments provided at fundraiser which exceed "ordinary hospitality" are in-kind contributions unless paid for by committee.	AO-93-17
	Prior to any fundraising activity, municipal candidate committee must organize and file Statement of Organization with municipal clerk.	AO-93-16
	A candidate may establish a separate entity from his committee to raise money to pay the candidate's personal obligations but may not use funds raised by the entity to pay the candidate's obligations to the committee. The candidate may not use committee assets to retire personal obligations.	AO-91-29
	Candidate may not form another political committee to raise funds to pay expenses associated with candidate's arrest (for disorderly conduct).	AO-91-13
	An organization may fundraise on behalf of political committee if detailed donor information is reported.	AO-89-25
	Opinion discusses extent to which corporations and PACs may participate in fundraising for candidate.	AO-87-11
	Elected official who is also a non-elected official of another municipality may not engage in fundraising activity.	AO-82-10
GIFTS BY CANDIDATE OR COMMITTEE		
	See "EXPENDITURES: GIFTS."	
GOVERNMENT BUILDING		
	See "PUBLIC BUILDING."	
GOVERNMENT RESOURCES		
	See "PUBLIC RESOURCES" headings.	
GUARANTY AGREEMENT		
	A committee may lease a computer for candidate and candidate may enter guaranty agreement for the lease. (See also 82-05.)	AO-82-13

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
IN-KIND CONTRIBUTIONS		
	A group may recruit candidates who support the agenda of the group and may encourage individuals to make independent expenditures (and contributions) to endorsed candidates without such activity causing the group to be considered a political committee.	AO-97-23
	Refreshments provided at fundraiser which exceed "ordinary hospitality" are in-kind contributions unless paid for by committee.	AO-93-17
	See also "CONTRIBUTIONS: IN-KIND."	
INCORPORATION BY POLITICAL COMMITTEES		
	All political financing activity is to be comprehensively regulated by c. 55, incorporation of political committee under M.G.L. c. 180 prohibited. (But see M.G.L. c. 55, s. 5, 11th paragraph).	AO-82-23
	All political financing activity is to be comprehensively regulated by c. 55, incorporation of political committee under M.G.L. c. 180 prohibited. (But see M.G.L. c. 55, s. 5, 11th paragraph)	AO-82-18
	All political financing activity is to be comprehensively regulated by c. 55, incorporation of political committee under M.G.L. c. 180 prohibited. (But see M.G.L. c. 55, s. 5, 11th paragraph)	AO-82-17
	All political financing activity is to be comprehensively regulated by c. 55, incorporation of political committee under M.G.L. c. 180 prohibited. (But see M.G.L. c. 55, s. 5, 11th paragraph)	AO-82-16
	Incorporation under M.G.L. c. 180 of political committee is not permitted and corporations may not operate as political committees. (But see M.G.L. c. 55, s. 5, 11th paragraph)	AO-82-11
	Incorporation under M.G.L. c. 180 of political committee is not permitted and corporations may not operate as political committees. (But see M.G.L. c. 55, s. 5, 11th paragraph)	AO-82-08
INDEPENDENT EXPENDITURES		
	Candidate incurring liability separate from political committee required by M.G.L. c.55, s.18 to file reports.	AO-93-02
	Individual and political committee may not combine resources and make an "independent expenditure" of \$4,000. The pooling of resources would result in the formation of a new political committee.	AO-92-21
	Individual may make independent expenditures subject to c.55, s.18A reporting requirements.	AO-88-13
INDIRECT SOLICITATION		
	See "PUBLIC EMPLOYEE: FUNDRAISING RESTRICTONS."	
INITIATIVE PETITION		
	See: "BALLOT QUESTIONS: GENERALLY."	
INVESTMENTS BY POLITICAL COMMITTEES		
	Committee may not keep proceeds of a winning raffle ticket purchased by the committee from a charitable organization. The committee must return the proceeds to the organization which held the raffle.	AO-97-12
	A contribution of stock may be accepted by a political committee if owned by an individual, and must be liquidated within five business days of receipt.	AO-83-09

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Political committee may accept contribution of stock from an individual if liquidated within 5 days. The amount given may not exceed limit on individual contributions.	AO-83-07
	The term "money market" includes instruments called repurchase agreements.	AO-82-19
JOINT EXPENDITURES		
	See "EXPENDITURES: JOINT."	
JOINT FUNDRAISING		
	A union may raise funds through a voluntary dues check-off in which two-thirds of the total funds received would be distributed to a federal PAC and one-third to a Mass. PAC. Prior to allocation between the PACs, the funds must be placed in a separate transmittal account. Distribution to the state PAC must take place promptly.	AO-99-01
	Proceeds received at joint fundraising event may be distributed to sponsoring committees in equal shares, by written agreement reflecting relative efforts of each committee, or based on proportion of tickets sold by each committee.	AO-95-28
	A contributor may contribute to two committees with a single check if the "memo" section of the check or a separate signed document allocates the portion intended for each committee. Contributions may be jointly solicited by MA and federal PACs. (Overruling, in part, AO-89-14).	AO-95-27
	A "bona fide" joint fundraiser by three town political party committees is permitted. The three committees should each pay one-third of the total expenses and share equally in the proceeds. Proceeds must be distributed within 30 days of the event.	AO-95-14
	A "bona fide" joint fundraiser by two political committees is permitted. (Overruling AO-88-02). Where each candidate will pay 1/2 of costs directly to the vendors there is no suggestion that event would not be "bona fide."	AO-94-27
	A candidate's political committee may sponsor a "meet the voters" event even though another candidate is the featured speaker if the primary purpose of the event is to enhance the sponsoring candidate's political future, and the sponsoring candidate handles promotion and keeps records, and the guest candidate does not benefit financially.	AO-91-15
	Joint fundraising by a Mass. and Non-Mass. political committee is prohibited. (But see AO-95-27).	AO-89-14
	Where a committee has a fundraising event (called "Pat & Mike's Irish Night") where another candidate is a guest speaker, the candidate holding the event must ensure that contributors do not mistakenly believe they are making contributions to benefit the guest speaker.	AO-88-03
	Joint fundraising by two political committees is prohibited. (Overruled by AO-94-27.)	AO-88-02
	A joint fundraiser by a political committee and a charitable organization is prohibited. (But see AO-95-25).	AO-87-12
LEASE AGREEMENT		
	A committee may lease a computer for a candidate and the candidate may guaranty the lease agreement. (See also 82-05.)	AO-82-13
	See also "EXPENDITURES: LEASED CAR."	
LEAVE OF ABSENCE		
	See "PUBLIC EMPLOYEE: LEAVE OF ABSENCE."	
LEGAL EXPENDITURES		
	See "EXPENDITURES: LEGAL."	

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
LEGISLATIVE AGENTS		
	A non-profit's registered legislative or executive agent may deliver a contribution from a PAC supported by the organization. The contributions delivered by the agent would be considered contributions of the PAC only.	AO-98-18
	A person is not subject to the \$200 contribution limit imposed on lobbyists by s. 7A(b) until the person registers as, or takes the actions that meet the definition of, a legislative or executive agent. Contributions made prior to that time are not considered in determining whether the \$200 limit has been reached.	AO-96-07
	The spouse of a legislative agent may contribute up to \$500 to a candidate.	AO-95-35
	A legislative agent may also serve as the treasurer of PAC but legislative agents are subject to the "bundling" restrictions of M.G.L. c. 55, s. 10A. The fact that a legislative agent is a PAC treasurer does not limit the amount a PAC may contribute, but contributions bundled by the agent will count towards the PAC's \$500 limit.	AO-95-17
	This opinion addresses the new bundling provisions of chapter 55. Specifically, it notes that section 10A is not triggered unless legislative agent "bundles" two or more contributions and that agent may sign fund raising letter or orally promote a fund raising event. In addition, contributions made through an agent to a candidate are subject to section 10A even if the parties are related and regardless of the state or local office sought. Contributions from an agent personally to a candidate are not subject to section 10A.	AO-95-06
LIABILITIES: SETTLEMENT OF		
	Obligations owed by committee to vendor which files for bankruptcy protection must be reported and, if possible, paid.	AO-94-13
LIMITED LIABILITY COMPANIES		
	Limited Liability Companies (LLCs) are not "business corporations." Funds contributed by LLCs to candidates, however, may not include amounts attributable to a member which is either a professional or business corporation. Contributions should be attributable to individual members, in the same manner as contributions from partnerships. LLCs, if composed of individual members rather than other business entities, are "membership organizations."	AO-97-15
LOAN FROM CANDIDATE		
	A committee may repay a 10 year loan made by the candidate to the committee even if the loan was not previously reported to OCPF, but the committee must first establish the loan's existence and demonstrate that the loan was never repaid. In addition, amendments must be filed.	AO-93-23
	A candidate may obtain a personal loan in accordance with banking regulations/laws and may then lend such funds to his committee. Funds subsequently obtained through public financing may be used to repay the loan. (But see c. 55A as amended by Clean Elections Law initiative in 1998).	AO-82-09
LOBBYING		
	A lobbying organization may have fundraiser for a candidate without being subject to s. 10A if contributions are given directly to the candidate at the event and no writing reflects bundling. The opinion also states that a lobbying organization may contribute up to 10% of previous year's revenues, or \$15,000 prior to being treated as political committee. (See IB-88-01).	AO-95-20
	A PAC may make lobbying expenditures directly related to enhancing the committee's purpose.	AO-94-36
	A lobbying group may give funds to a ballot question committee to help the ballot question committee make legal expenditures to further adoption of the initiative supported by the lobbying group and the committee.	AO-93-26

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Lobbying expenditures directly related to enhancing a committee's purpose may be made by a committee. (Overruling, in part, AO-83-06, AO-83-13, AO-84-5, and AO-86-15).	AO-93-25
	c.55 does not prohibit lobbying by public employees. Therefore, lobbying expenditures are not considered political expenditures. (Overruled, in part, by AO-93-25).	AO-89-26
	A ballot question committee may make expenditures in connection with certain legal proceedings but may not make expenditures to lobby or otherwise to influence legislation. But see AO-93-25 overruling the prohibition against a ballot question committee making lobbying expenditures.	AO-86-15
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LOCAL PARTY COMMITTEES		
	A local party committee which raises and spends funds to influence a local ballot question must register and report as a ballot question committee. If a local party committee makes expenditures (but does not raise funds) for such purpose, the committee must still disclose the expenditures according to the schedule which would apply to local ballot question committees.	AO-97-14
	An inactive town committee is not subject to residual funds clause, because c. 52 does not contemplate the dissolution of such committees. If the treasurer of a defunct town committee resigns, residual funds must be transferred to the state party committee.	AO-96-22
	Individual contributions to state committee and any ward, town, or city committee of same party are limited to \$1,000 year. But see M.G.L. c. 55, s. 7A: Limit changed to \$5,000 for party committees of any one party.	AO-90-33
	City, ward, and town committees may pay reasonable travel and related expenses for convention delegates. The expenses must be reasonable, and may only include delegate fees, transportation, and room and board expenses. All delegates must be treated in the same manner.	AO-85-07
	City, ward, and town committees may pay reasonable travel expenses relating to convention delegates.	AO-85-05
	The new treasurer of a local party committee must file an acceptance of office with OCPF within ten days of appointment.	AO-84-13
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MAILING LIST		
	A Chamber of Commerce receiving money from business corporations may not permit political committee to use mailing list unless fair market value is paid.	AO-90-30
	A mailing list is a contribution when received by a candidate or political committee.	AO-89-17
	In-kind contributions (city mailing labels) to candidates violate c. 55, although they may be purchased if equal access exists.	AO-88-27
	A committee mailing list may be donated to a corporation engaged in non-political fundraising if requirements for charitable contributions are met.	AO-88-15
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MEDIA ORGANIZATIONS		
	A media organization that invites some, but not all, "qualified candidates" seeking a particular office to participate in a debate does not make an in-kind contribution to the invited candidates who agree to participate in the debate.	AO-98-23
	Newspaper space for column provided to an incumbent legislator is not a "contribution" if no solicitation of contributions and no advocacy for or against a candidate is involved.	AO-96-29
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MEMBERSHIP DUES		
	A candidate's committee may pay organization dues for candidate if candidate would not have joined but for candidate's interest in enhancing his political future.	AO-88-12

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
MEMBERSHIP ORGANIZATIONS		
	A membership organization which supports a PAC may include, with a mailing to members, a contribution envelope to be used by members who choose to make contributions to the PAC. In doing so, the organization would not be making an in-kind contribution to the PAC. Providing the contribution envelope is a membership communication.	AO-98-22
	If a membership organization's communication to members solicits contributions to be received and used by an organization to support or oppose a candidate or ballot question, the organization would be operating as a political committee.	AO-98-21
	Limited Liability Companies (LLCs) are not "business corporations." Funds contributed by LLCs to candidates, however, may not include amounts attributable to a member which is either a professional or business corporation. Contributions should be attributable to individual members, in the same manner as contributions from partnerships. LLCs, if composed of individual members rather than other business entities, are "membership organizations."	AO-97-15
	Where a new organization to be called the Massachusetts Republican Legislators Association would not raise funds or make expenditures to influence elections, it would not be a "political committee." the Association would be considered a "membership organization" because it will identify individuals within the organization as members and require some affirmative action to be taken by persons in order to become members, e.g., payment of dues or the person's making a request to be included on the membership list. The Association would not be required to file with OCPF or take any other action under the campaign finance law.	AO-97-09
	An association would be considered a "membership organization" if it identifies individuals within the organization as members and requires some affirmative action to be taken by persons in order to become members, e.g., payment of dues or the person's making a request to be included on the membership list.	AO-94-36
NAME OF COMMITTEE		
	A ballot question committee organized to oppose a question which would abolish tolls on highways, bridges and tunnels may be called "Coalition to Preserve Our Roads and Bridges" or "Coalition for Preservation of Transportation Resources." The name "Coalition for Transportation Progress" does not, however, clearly identify the expected interest of contributors and should not be used.	AO-98-04
	Name of common employer of majority of contributors or organizers of PAC must be used, even if name contains service mark of employer (Blue Cross and Blue Shield).	AO-95-12
NEWSLETTER OR PUBLICATION		
	An elected official may form an "Issues oriented" group separate from political committee, with primary purpose of fostering debate on policy issues without the group being considered a "political committee." The group can publish a newsletter containing occasional endorsements.	AO-94-21
	A political committee of a planning board member may could pay planning board's cost of mailing information describing board initiatives to community because the mailing is a constituent service and would also enhance the candidate's political future.	AO-93-13
	Town treasurer must report all costs in producing newsletter supporting an override question. The report must reflect all costs -- not just those costs relating to that portion of the newsletter urging support of the override. But see M-95-06.	AO-91-18
	An organization's incidental reference to ballot question in newsletter would not subject the group requirements of c.55.	AO-90-25
	A political digest published/edited by candidate, to foster a discussion of various political viewpoints, is not subject to c.55 unless used for purpose of enhancing the candidate's future.	AO-87-07
	A newspaper published on behalf of a political party may not accept corporate advertising.	AO-85-03

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	See also: "PUBLIC RESOURCES: DISTRIBUTION OF INFORMATION TO VOTERS."	
<i>NON-MASS. CANDIDATES</i>	Ch. 55 does not prohibit a Mass. corporation from contributing to out-of-state candidates.	AO-84-17
<i>NON-MASS. PACS</i>	A PAC which is organized in another state or at the federal level and does not receive contributions and makes expenditures to influence the nomination or election of Massachusetts state, county or municipal candidates is not a PAC for purposes of M.G.L. c. 55. Therefore, a principal officer of a non-Mass. PAC does not need to resign from such a position if he becomes a candidate or an elected official. Section 5A, which prohibits candidates and elected officials from serving as a PAC's principal officer, is not applicable in these circumstances.	AO-98-02
	A contributor may contribute to two committees with a single check if the "memo" section of the check or a separate signed document allocates the portion intended for each committee. Contributions may be jointly solicited by MA and federal PACs. (Overruling, in part, AO-89-14).	AO-95-27
	An out-of-state political committee cannot contribute to a Massachusetts political committee or candidate without first setting up a separate segregated account as a Massachusetts political committee.	AO-93-01
	Joint fundraising by a Mass. and out-of-state political committee is prohibited. Contributions by Mass. PAC to out-of-state committee are limited to \$1,000. Contributions may be collected in a separate depository and then allocated to each committee. (But see AO-95-27, and IB-82-01, as revised in 1997).	AO-89-14
	A non-Mass. political committee must register in accordance with c.55 before contributing to a Mass. political committee.	AO-88-21
	Opinion summarizes restrictions on out-of-state PAC's, particularly PACs sponsored by business corporations, operating in Mass.	AO-87-11
	Ward, city, and town committees may not accept contributions from U.S. Representative's committee.	AO-84-18
	Mass. candidates may accept contributions from a political committee only if the committee is organized under c.55.	AO-82-27
	A Mass. candidate may not receive contributions from a committee organized solely under The Federal Election Campaign Act.	AO-82-04
	See also IB-82-01, which discusses the participation of Non-Mass. PACs in Massachusetts.	
<i>NON-PROFIT CORPORATIONS</i>	A non-profit supported by business corporations may not use a segregated fund to insulate business corporation funds from funds used to support PACs, candidates and party committees (overruling, in part, AO-91-31).	AO-98-18
	Non-profit corporation which has an affiliated PAC may make contributions of up to \$15,000 from the corporation's general treasury, to candidates, PACs and party committees during a calendar year, if (1) the sum is less than 10% of the corporation's gross annual revenues for the previous year and (2) the corporation's general treasury contains no business or professional corporation funds.	AO-97-21
	A tax-exempt non-profit corporation should contact the Internal Revenue Service before becoming involved in campaign activity.	AO-95-41
	Non-profit corporation or association cannot be used as a vehicle for business corporations' circumvention of M.G.L. c.55, s.8. Therefore, non-profit may not receive funds given with the intention that they be used to make a contribution to a committee other than a ballot question committee.	AO-94-03

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A non-profit corporation may make political contributions if general treasury is void of business corporation monies, unless such funds can be segregated. (Overruled, in part, by AO-98-18).	AO-91-31
	Non-profit corporation may make an in-kind contribution of services to political committee, subject to restrictions.	AO-89-17
	A non-profit corporation expending funds must report expenditures, and if soliciting funds, must organize as political committee.	AO-89-16
	A non-profit corporation may not organize as a political committee. If expending funds to influence ballot question must file reports in accordance with M.G.L. c. 55, s. 22.	AO-87-08
	Non-profit corporation may not contribute to Mass. political committee with proceeds which include corporate monies. Any funds derived from business corporations must be segregated. (Overruled, in part, by AO-98-18).	AO-87-05B
	A non-profit corporation's treasury must be void of business corporation monies to make incidental contributions to Mass. political committees. Funds from business corporations may be segregated. (Overruled, in part, by AO-98-18).	AO-86-21
	An out-of-state non-profit corporation may contribute to a ballot question committee. (But see AO-93-25)	AO-83-13
	Non-profit corporations may only make incidental contributions to candidate's political committee. (See IB-88-01).	AO-83-11
	A non-profit corporation may not function as political committee but may contribute to political committees. (But see AO-89-16 and AO-93-25).	AO-83-06
	A non-profit corporation making a contribution to a candidate must disclose the names and residential addresses of its principal officers to the person receiving contribution.	AO-82-02
	See also IB-88-01, which discusses the applicability of the Campaign Finance Law to organizations other than political committees.	
<hr/> NON-RESIDENT FUNDRAISERS		
	A candidate or elected officer "sponsors" a non-resident fundraiser if the candidate or officer is primarily responsible for arranging for the event, hosts the event, or takes significant action to encourage fundraising in connection with the event.	AO-96-02
<hr/> OCCUPATION AND EMPLOYER		
	Committees must disclose the most accurate information available regarding both employer and occupation. The opinion discusses the appropriate manner for reporting contributions from self-employed retired persons.	AO-95-07
<hr/> OFFICE SPACE		
	See "EXPENDITURE: OFFICE SPACE."	
<hr/> ORDINARY HOSPITALITY		
	Corporation may host breakfast for candidate to extent expenditures are de minimus and consistent with "ordinary hospitality."	AO-95-32
	"Ordinary hospitality" means a generally accepted level of hospitality, not the level of hospitality customary for a particular individual.	AO-93-17

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
PACS: CONTRIBUTIONS AND EXPENDITURES BY	An association which does not receive public or corporate funding may provide administrative support for a dues check-off system to fund a PAC. Contributions must be made through the affirmative action of members -- not a system where dues are paid unless members indicate by checking a block that they do not want to make such contributions.	AO-98-03
	A PAC may make expenditures to influence ballot questions if consistent with the purpose for which the PAC was organized. If a PAC intends to solicit contributions to influence a ballot question, it must organize a separate ballot question committee.	AO-95-36
	A PAC which has a fundraiser to benefit candidates is not subject to the bundling requirements and limitations of s. 10A if contributions are received and deposited by the PAC.	AO-95-17
	A union's PAC could not make expenditure to support a person seeking election to retirement board because the person is not a "candidate," and such expenditures could not be made by a political committee.	AO-95-10
	A PAC may make lobbying expenditures directly related to enhancing the purpose of the committee. This opinion also notes that the parent organization of a PAC may, consistent with IB-88-01, pay costs incurred by PAC in sending "voters' guide" to members of parent organization.	AO-94-36
	A PAC may make expenditures to influence ballot questions if consistent with the purpose of the PAC. A ballot question committee must be formed if the PAC intends to solicit funds to influence a ballot question.	AO-94-28
	A legislative PAC may pay reasonable expenses (facility rental, food and related expenses) for a political function such as a legislative caucus or retreat, consistent with the purpose for which the PAC was organized.	AO-92-04
	A PAC organized under c.55 must observe disclosure and contribution limits/requirements.	AO-90-06
	A PAC organized under c.55 must observe disclosure and contribution limits/requirements.	AO-89-17
	Based on Supreme Court cases, PACs may make incidental and independent expenditures to influence ballot questions without being subject to the limit in s. 6 for contributions between political committees	AO-88-32
	Political committee consisting of members from several other committees/groups may contribute as PAC provided no common control exists.	AO-88-21
	A political committee attempting to influence a ballot question must file with OCPF, even if the question is not yet certified when the expenditure is made. (But see AO-93-25).	AO-83-13
PACS: CONTROL BY CANDIDATES AND ELECTED OFFICIALS	A representative town meeting member may assist in establishing PAC and may serve as officer of PAC once it is established.	AO-97-03
	A candidate may not serve as principal officer of PAC, even if the PAC is "a political designation" under M.G.L. c. 50, s. 1.	AO-95-13
	A candidate may not serve as a principal officer of PAC, even if the candidate is insulated from funding decisions.	AO-95-08
	Members of representative town meeting are not subject to the disclosure and limitation requirements of the campaign law. In particular, they are not "elective public officers" within the context of s. 5A.	AO-95-03
	A candidate or elected official may generally not serve as an "honorary chairman" of a PAC or sign fundraising letters for a PAC.	AO-95-01

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
PACS: GENERALLY		
	Political party committees organized in accordance with M.G.L. c. 52 on behalf of a political party as defined in M.G.L. c. 50, s.1 become political action committees if political party loses its status and is reclassified as a political designation.	AO-97-04
	This opinion answers several questions, e.g., the chairman and treasurer must exercise control over PAC's expenditures; PAC may look to a corporation for guidance or recommendations; and PAC may use corporate resources if corporation is reimbursed.	AO-96-26
	An organization raising and spending funds to influence candidate elections is a "PAC," even if the organization is not a business or union group.	AO-96-19
	A PAC must reimburse related association, made up of corporations, for any services provided by association. Contributions may be jointly solicited by Mass and Federal PACs. (Superseding in part, AO-89-14). Business corporations' association employee may not solicit contributions for association's PAC if paid by association.	AO-95-27
	If the primary purpose of an organization is to support a party committee, the organization should register and report as a PAC.	AO-95-19
PACS: NAME		
	If a PAC is organized, financed, controlled and maintained by an individual and the PAC is not able to identify the economic or special interest of most contributors, the PACs name must identify the controlling individual.	AO-95-30
	A political committee organized by a group which is recognized as a "political designation" by the Secretary of the Commonwealth is a PAC (not a party committee) and must use the term "Political Action Committee" in its name.	AO-95-13
PARTNERSHIPS		
	Professional corporations and partnerships report contributions differently. If a contribution is from a PC, the PC reports to OCPF, but if a contribution is from a partnership, the committee must obtain information from the partnership to report attributable shares of partners.	AO-95-05
	Partnership's method of making contributions to candidates is permissible where each contribution is attributable to individual partners.	AO-93-29
	A business trust owning and managing real estate as a joint venture or general partner may contribute to candidates if business corporations are not trustees or beneficiaries, and contributions are attributable to individual partners.	AO-91-05
	Any purchase/lease of equipment/services by a committee from a partnership in which the candidate has an interest is deemed a personal use, unless (1) the revenue obtained by the business is incidental (less than 1%) to the business's gross revenues, and (2) the equipment or services were not obtained by the business for use by the committee. (See also AO-92-31). Individuals in general partnership may each contribute up to \$1000 (now \$500) per year with certain restrictions.	AO-89-18
PERSON IN THE SERVICE		
	Chairman of conservation commission may serve as treasurer of local party committee if committee adopts ban on contributions from public servants or "persons in the service" of the commonwealth or one of its subdivisions. (But see s. 15 as amended).	AO-96-06
	Person in the service" subject to s. 15 should not serve as treasurer of committee organized to support candidate for federal office. (But see s. 15 as amended).	AO-95-39
	Members of representative town meeting (but not voters in towns having open town meetings) are "persons in the service" subject to s. 15. (But see s. 15 as amended).	AO-95-18
	"Person in the service" may be treasurer of political committee only if committee refuses contributions from all other person in the service. Member of Board appointed by Governor but not compensated is not public employee but is "person in the service." (But see s. 15 as amended).	AO-94-06

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Uncompensated volunteer fire fighter is "person in the service of " commonwealth or one of its subdivisions. (But see s. 15 as amended).	AO-93-24
	An elected school committee member may not serve as treasurer of a political committee unless the committee does not accept contributions from others "in the service of the commonwealth." But see s. 15, as amended.	AO-92-16
	Non-compensated member of town committee is "person in the service" of town prohibited from being treasurer of committee. (But see s. 15 as amended).	AO-92-01
	Elected school committee member is not subject to s. 15. (But see s. 15 as amended).	AO-88-17
	See also ch. 349 of the Acts of 1996, which changed section 15 of chapter 55 to in part allow "persons in the service" to be treasurers of political committees.	
<hr/> PERSONAL SERVICES		
	A supporter who provides a committee with space in basement of home is providing personal service rather than an in-kind contribution, at least where the supporter shares occupancy, and the space is not regularly rented out.	AO-98-17
	Provision of personal services (e.g., designing brochure) and incidental expenses of person providing services are not in-kind contributions.	AO-93-32
<hr/> PERSONAL USE		
	See "EXPENDITURES: PERSONAL USE."	
<hr/> PLAN E CHARTER		
	See "PUBLIC EMPLOYEE: DEFINED."	
<hr/> POLITICAL COMMITTEE: GROUPS SUBJECT TO C.55		
	A group may recruit candidates who support the agenda of the group and may encourage contributions to endorsed candidates without such activity causing the group to be considered a political committee. If candidates who do not support the group's agenda are excluded from the group's candidate's schools, however, the group must register as a political action committee.	AO-97-23
	Political party committees organized in accordance with M.G.L. c. 52 on behalf of a political party as defined in M.G.L. c. 50, s.1 become political action committees if political party loses its status and is reclassified as a political designation.	AO-97-04
	Organization raising/spending funds to influence candidate elections is a PAC, even if not a business or union group.	AO-96-19
	If the primary purpose of an organization is to support a party committee, the organization should register and report as a PAC.	AO-95-19
	A "party building" organization like the Republican Club of Massachusetts is not a political committee.	AO-94-43
	Group interested in supporting a particular class of candidates by encouraging the candidates to run and by raising and spending funds to support the candidates is a "political committee" -- even if candidates are not yet identified.	AO-94-29
	A group fostering debate on public policy issues, which does not receive contributions or make expenditures to promote a candidate or influence the vote on questions submitted to voters, is not subject to c.55.	AO-94-21
	An out-of-state political committee cannot contribute to Massachusetts political committees or candidates without first registering as a Massachusetts political committee.	AO-93-01
	An organization supporting or opposing clearly identified candidate(s) is "political committee" under c.55, e.g., a group raising and spending funds to oppose incumbents is a political committee.	AO-90-26

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Political committees organized by union and its local are not "affiliated" if they demonstrate that their contributions are not made "in cooperation, consultation or concert" with each other, or at the request or suggestion of any person who establishes, finances, maintains or controls the committees.	AO-90-14
	A party affiliated organization financing activities related to the state/congressional redistricting process in Mass. is not a political committee, but the organization may not accept corporate contributions. (See also AO-91-12.)	AO-89-27
	A non-profit corporation which solicits and receives political contributions must organize as political committee.	AO-89-16
	A committee organizing a town-wide function which will indirectly benefit a candidate (because the candidate will speak at the event) is not required to register as a political committee.	AO-88-26
	Elected city, town, and ward committees are subject to c.55.	AO-84-13
	Union actions in aiding unemployed members are not political activities subject to c.55.	AO-83-05
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<i>POLITICAL DESIGNATION</i>		
	Political party committees organized in accordance with M.G.L. c. 52 on behalf of a political party as defined in M.G.L. c. 50, s.1 become political action committees if political party loses its status and is reclassified as a political designation.	AO-97-04
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<i>POLITICAL PARTY COMMITTEE</i>		
	Party committee could not raise funds by focusing on specific races if persons "earmark" contributions (they would reasonably intend contributions to be used for specific candidate campaign). Segregating the funds and reserving the right to use funds for other purposes would not alter the conclusion that the plan would not comply with the law. A party committee may, however, raise funds for a slate of candidates.	AO-98-15
	A party committee may establish a web page and invite committees and candidates to use a "calendar of events" section without charge. Although the committee must report expenditures made to establish and maintain the page, candidates, committees and organizations which use the "calendar of events" are not receiving a "contribution" from the party.	AO-97-13
	Funds received by party's state committee for litigation expenses regarding party charter are not contributions, but may not be received from business corporations. In addition, committees organized on behalf of statewide candidates could not contribute to the party committee for that purpose.	AO-84-11
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<i>PREEMPTION</i>		
	See "FEDERAL ISSUES."	
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<i>PROFESSIONAL CORPORATIONS</i>		
	Employees of a professional corporation who bundle contributions are regulated by M.G.L. c. 55, s. 10A. Professional corporations are subject to all of the restrictions applicable to business corporations. See IB-82-01.	AO-95-24
	Professional corporations and partnerships report contributions differently. If a contribution is from a PC, the PC reports to OCPF, but if contribution is from partnership, the committee must obtain information from partnership to report attributable shares of partners.	AO-95-05
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<i>PUBLIC BUILDING</i>		
	Fundraising event may take place in LeLacheur Park in Lowell. M.G.L. c. 55, s. 14 would not be violated because the ballpark is leased to a private party and contains no municipal offices. (Following AO-94-04 and AO-89-07)	AO-98-14

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	An inaugural ball may be held in a public building if the event is civic in nature, open to the public, run by an inaugural committee separate and distinct from the candidate's political committee, and if no funds raised in connection with the event are transferred to the political committee.	AO-97-24
	A building housing a non-profit corporation receiving state funds is not necessarily "occupied for state, county or municipal purposes." The building is, however, subject to the Anderson opinion, and may also be subject to s. 14 if staffed and operated by the commonwealth.	AO-96-25
	A building housing a non-profit corporation receiving state funds is not "occupied for municipal purposes."	AO-95-41
	Publicly owned but privately operated golf course may be used for fundraising events.	AO-94-38
	Golf club which is owned and operated by municipality, and contains offices of public employees such as manager of club, is "occupied for municipal purposes" and may not be used for political fundraising event.	AO-94-17
	Memorial Hall owned by municipality is not "occupied for municipal purposes" if it contains no government offices and is rented to private parties.	AO-94-04
	Political fundraising in public university buildings is prohibited by s. 14.	AO-94-01
	A political committee can pay speakers who will appear at parent meetings held on school property, if fundraising does not take place and equal access is assured.	AO-93-18
	Campaign workers may distribute leaflets, which do not ask for money, on state property without violating campaign finance laws.	AO-92-34
	Prohibition against accepting anything of value in building occupied for municipal purposes does not prevent use of park which has no buildings.	AO-92-28
	Party committee could hold debate solely for one party's candidates, in public building, if school makes its space available to the general public and other groups on the same terms and conditions.	AO-92-26
	Town selectmen may use town hall to public forum in town hall to promote ballot question if equal access exists.	AO-91-30
	Solicitation for political purposes is prohibited in areas immediate and intrinsic parts of a public building, including areas outside of the building. Therefore, fundraising is prohibited in a town's landfill, including the security shack but also adjacent compacting and recycling areas and access roads.	AO-91-19
	Fax machine purchased by political committee may not be kept in legislator's office if machine is used for fundraising activity, but may be used for other political and governmental purposes.	AO-91-06
	So long as equal access exists, public areas within buildings occupied for state, county or municipal purposes may be used for proponents or opponents of an initiative petition.	AO-90-02
	A public employee may not keep an initiative petition in his office to collect signatures.	AO-90-01
	Use of city counsel chamber in political advertisement is prohibited unless equal access exists.	AO-89-28
	Space rented by a political committee from the Mass. Convention Center Authority is not "occupied for state, county or municipal purposes." Such rented space is not subject to s. 14.	AO-89-07
	The use of a town park for a town function which would indirectly benefit candidate (e.g., if the candidate will speak at event) is prohibited unless no fee is charged or same fee is charged to anyone else using the park.	AO-88-26
	A Post Office facility housed in the State House is not used for state, county or municipal purposes.	AO-88-11
	Use of state buildings and their surroundings for political fundraising is prohibited. Therefore, an event may not be held in a state building while fundraising activity associated with the event takes place outside of the building.	AO-88-10

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Legislator's political committee may purchase computer for political purposes but it must be removed from state office if used for fundraising.	AO-88-09
	Legislator's political committee may purchase computer for political purposes but it must be removed from state office if used for fundraising.	AO-86-02
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PUBLIC EMPLOYEE: CANDIDATE		
	Legislative aide who is also a candidate attending function at employer's direction may not, while being paid as a legislative aide, campaign for himself or any other candidate.	AO-92-03
	Public employee may establish campaign finance committee to solicit/receive contributions for his candidacy.	AO-89-09
	Public employee may establish campaign finance committee to solicit/receive contributions for his candidacy.	AO-89-08
	Municipal employee may run for public office but may not solicit funds for any political purpose.	AO-83-03
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PUBLIC EMPLOYEE: CHARITABLE OR CIVIC FUNDRAISING		
	Public employee may fundraise for organization involved in "civic" rather than "political" activities.	AO-90-11
	Public employee may participate in fundraising for local commission against discrimination.	AO-87-06
	Research analyst employed by legislative committee may fundraise for humanitarian organizations including Physicians for the Prevention of Nuclear War. Groups which are concerned with influencing public policy do not raise funds for a "political purpose" unless raising funds to influence an election. (Overruling AO-85-09).	AO-86-03
	Person employed for compensation by the commonwealth may fundraise for Amnesty International.	AO-85-17
	Research analyst employed by legislative committee may not fundraise for any political purpose and organization which attempts to influence government policies are involved in political activity. (Overruled by AO-86-03)	AO-85-09
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PUBLIC EMPLOYEE: COERCION		
	Uncompensated public employee may not be compelled to solicit for any political purpose.	AO-82-26
	Public employee may not be compelled to render political service.	AO-82-22
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PUBLIC EMPLOYEE: CONSULTANT		
	A public employee may provide services, before and after work and on weekends, to campaign, provided there is no solicitation or receipt of funds for political purposes, and that employee also complies with M.G.L. c. 55, ss. 14-17.	AO-93-34
	A legislative aide may work, during aide's personal time, for legislator's political committee. The aide may not, however, engage in fundraising.	AO-93-19
	A legislative aide may consult for state representative provided there is no receipt or solicitation of monies for political purposes, and that the aide also complies with M.G.L. c. 55, ss. 14-17.	AO-92-02
	Public employee may not do part-time/volunteer consulting work which is integrally involved with fundraising activities.	AO-90-27
	Public employee may fundraise for organization involved in "civic" rather than "political" activities.	AO-90-11

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Various aspects of part-time volunteer consulting (e.g., management consulting, strategic planning, public relations, computer development, and polling) are not considered direct or indirect solicitations for political purposes, if such work does not relate to fundraising activities.	AO-90-07
	A public employee, on employee's own time and at employee's residence, may prepare database for candidates for use in tracking voting trends and analyzing polling statistics.	AO-89-24
	An attorney whose practice includes contractual representation of government agencies, is an independent contractor and not employed for compensation. Therefore, the attorney may solicit and receive funds.	AO-88-19
	"O-3" consultant employed by the Commonwealth is prohibited from political fundraising. See AO-96-15.	AO-86-09
	An individual who consults for town 15 hours/year and receives only \$1,500-2,000 is not employed for compensation (overruled by 90-10).	AO-85-04

***PUBLIC EMPLOYEE:
DEFINED***

Part-time member of the National Guard is generally "employed for compensation" by the commonwealth and subject to M.G.L. c. 55, s. 13, even when not on duty.	AO-98-10
An employee of a non-profit corporation which receives state funds, but is not controlled by the state, is not subject to s. 13.	AO-95-41
A poll worker is "employed for compensation" on a temporary basis, and is subject to s. 13 only on election day while performing services for the town. Poll worker may serve as treasurer of committee if no fundraising undertaken on election day.	AO-95-37
A person employed by a federally funded state agency who receives benefits provided to state employees, and is supervised by persons employed by the state and directly paid by the state, is subject to s. 13.	AO-95-34
A person who is appointed to complete the unexpired term of an elected officer may solicit contributions.	AO-95-23
Where the legislature has allocated \$50 per diem for position, person is employed for compensation, even if payment not accepted.	AO-94-06
An officer of a state university student government is not a "public employee," even if paid by a student activities trust fund.	AO-94-01
Member of Private Counsel Division paid by state is a "public employee" subject to c.55 restrictions.	AO-92-30
A person receiving \$200/year from state as a member of a board which meets four times a year is public employee subject to fundraising restrictions, even if he is an "involuntary" employee, the person's term on the Board has been extended beyond its intended length.	AO-92-17
Where the legislature has allocated a salary for a position, that person is employed for compensation whether or not the person accepts the salary.	AO-92-07
A person who is hired by a state agency, paid by the state and who receives state benefits is a "person employed for compensation" even if the original source of salary is federal funds.	AO-91-16
A city clerk elected by a city council is not an "elected officer" for purposes of c.55. The clerk would, however, be a "person employed for compensation" subject to s.13.	AO-91-10
The restrictions of s. 13 do not apply to persons who are only reimbursed for actual expenses or paid a per diem rate if that rate reasonably reflects actual expenses. The opinion summarizes restrictions applicable to part-time employees.	AO-91-09
City councilors and school committee members of Plan E cities (in this instance, Cambridge) are not employees of a "department" as that term is defined by M.G.L. c. 43, s.108, and may therefore solicit or receive campaign contributions from city employees.	AO-90-18

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	City councilors and school committee members of Plan E cities (in this instance, Worcester) are not employees of a "department" as that term is defined by M.G.L. c. 43, s.108, and may therefore solicit or receive campaign contributions from city employees.	AO-90-09
	This opinion defines public employee to include a person paid any amount, even if minimal, by the commonwealth or a subdivision thereof. (Overruling AO-89-10, AO-88-18 and previous advice exempting persons receiving "de minimus" compensation from s. 13 prohibitions).	AO-90-05
	The prohibition of political fundraising by city employees in Plan E cities parallels c. 55. Therefore, part-time public employee in Plan E city is prohibited from fundraising for a political purpose.	AO-89-15
	A person receiving "de minimus" salary is not employed for compensation and is not subject to solicitation restrictions. (Overruled by AO-90-05).	AO-89-10
	Appointed public official not employed for compensation due to "de minimus" salary, but is still subject to restrictions as person in public service (overruled by AO-90-05).	AO-88-18
	Elected school committee member is not "person employed for compensation" subject to s. 13.	AO-88-17
	Uncompensated state college trustee is not public employee subject to s. 13 and may solicit contributions.	AO-88-07
	An individual working for an organization created by the state but funded entirely by private institutions is not "employed for compensation."	AO-86-22
	Member of Board of Bar Overseers is compensated through fees but is nonetheless a public employee prohibited from fundraising.	AO-86-13
	An employee of a non-profit housing research corporation which contracts with the state is not "employed for compensation" and may conduct fundraising activity.	AO-85-15
	A person employed by an interstate commission, who is assigned to a state agency, is not a "person employed for compensation" where she is under the control of the commission, paid by the commission, and is enrolled in one of the commission's insurance plans.	AO-84-14
	A person who is supervised by commonwealth and whose services are ultimately paid by state, is "employed for compensation" under c.55.	AO-84-09
	University of Mass. staff member is employed for compensation and subject to c.55, s.13 fundraising restrictions.	AO-84-03
	An Assistant District Attorney is an appointed public employee subject to fundraising constraints of s. 13.	AO-82-01
	See also "PERSON IN THE SERVICE," "PUBLIC EMPLOYEE: CONSULTANT," and "PUBLIC EMPLOYEE: INDEPENDENT CONTRACTOR."	
<i>PUBLIC EMPLOYEE: FEDERAL ISSUES</i>		
	"Person in the service" subject to s. 15 should not serve as treasurer of committee organized to support candidate for federal office. (But see s. 15 as amended, which now allows persons in the service to serve as treasurers).	AO-95-39
	A person who is hired by a state agency, paid by the state and who receives state benefits is a "person employed for compensation" even if the original source of salary is federal funds.	AO-91-16
	Public employees of a state agency receiving federal funds may be subject to the Hatch Act.	AO-84-08
<i>PUBLIC EMPLOYEE: FUNDRAISER IN HOME OF EMPLOYEE</i>		
	An individual who is not a public employee may generally host a fundraiser in his home even if spouse is a public employee and spouse has a legal interest in home. (distinguishing AO-84-06 and overruling AO-92-13).	AO-94-26

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Individual may not host political fundraiser in home where wife has an interest in home and is a public employee. (Overruled by AO-94-26).	AO-92-13
	A public employee may not hold a fundraiser in a home he owns or has an interest in, nor can he directly receive contributions from anyone. (But see AO-94-26)	AO-84-08
	Public employee may not hold a fundraiser in a home he owns an interest in, nor can he directly receive contributions from anyone. (But see AO-94-26)	AO-84-06

***PUBLIC EMPLOYEE:
FUNDRAISING
RESTRICTIONS***

Public employee may help candidate with election day poll coverage, polling, gathering voter results, getting sign locations, on weekends, nights and/or vacation time. The employee may not develop mailing lists if he knows or has reason to know that they will be used for fundraising, but the opinion suggests that employee not participate in this activity.	AO-98-09
If a PAC is composed of public employees, members may not solicit prospective new members. Solicitation must be done by retirees or other persons who are not public employees.	AO-97-07
A public employee seeking election to a state political party committee is subject to s. 13 and may not solicit or receive contributions. If the employee organizes a committee, the committee is not required to file reports.	AO-96-23
Public employee may chair political committee, introduce candidate at fundraising functions and may perform clerical tasks such as stuffing envelopes relating to such events.	AO-96-16
A public employee may not solicit contributions for "party-building" organizations, such as the Republican Women's Club. Public employees may not serve as treasurer, or allow name to appear on fundraising solicitations, for such groups.	AO-96-12
An invitation to a fundraiser featuring a musical group consisting of public employees should not list the names of employees.	AO-96-09
A public employee may host a meet-the-candidate event at which fundraising does not take place.	AO-95-25
Public employee may not raise funds for the Log Cabin Republicans, an organization which has as one of its primary goals ensuring that the Republican Committee "fulfill its promise to be a party of inclusion."	AO-94-40
Public employee may work on federal campaign while on vacation subject to fundraising prohibitions.	AO-94-35
A public employee may provide services, before and after work and on weekends, to a campaign, provided there is no solicitation of monies for political purposes and that the employee also complies with other provisions of the law.	AO-93-34
Public employees are not prohibited by s. 13 from being guest speakers at Middlesex Club luncheons if no political fundraising will take place. The club, although organized to promote "Republican principles" does not use proceeds of the luncheons for political purposes.	AO-93-28
Restrictions in s. 13 apply to a call fire fighter who receives \$4.31 per hour, but not to a voluntary fire fighter.	AO-93-24
A public employee may run for elected office without taking a leave of absence, but must take a leave of absence to raise funds.	AO-93-16
Opinion summarizes restrictions on public employee fundraising and states that public employees have a responsibility to use reasonable care to ensure compliance.	AO-93-11
Public employees may not participate in planning fundraising activities. Public employees may identify or recommend individuals to work on a campaign, but such individuals cannot be identified to assist in fundraising, e.g., public employees may not identify individuals whose knowledge and affiliations would permit fundraisers to develop lists of people to solicit.	AO-93-10
Public Employee may not accept payment for admission, distribute tickets or solicit attendance for a fundraising event.	AO-93-09

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Campaign workers who are not public employees may distribute leaflets, which do not ask for money, on state property.	AO-92-34
	Mere delivery, by a public employee who is a member of a PAC, of a PAC's contribution check to a congressman, is not considered an indirect solicitation.	AO-92-33
	Public employee may not sell tickets to political event that results in surplus of funds even though not organized as fundraiser.	AO-92-19
	Public employee's committee may use candidate's name in letterhead of solicitation letter.	AO-92-11
	A public employee may attend campaign functions as candidate or as legislative aide for employer, but may not fundraise.	AO-92-03
	A public employee may not participate as a speaker or panelist in a forum where his appearance would be used as a "draw" to encourage membership if membership dues will be used for political purpose.	AO-91-25
	The prohibitions of s. 13 apply to part-time as well as full-time public employees. The opinion summarizes applicable restrictions.	AO-91-09
	A public employee may attend and speak at fundraising event including introducing the candidate, but may not be a host for a fundraiser or otherwise solicit funds for the candidate.	AO-90-28
	Public employees may solicit contributions for a lobbying organization which is not involved in raising or spending money for ballot question campaigns or candidate elections and may do so in public buildings.	AO-90-03
	Public employee may lobby legislature without being subject to c.55, but may not at the same time raise funds for a ballot initiative.	AO-89-26
	A public employee may not publish a handbook providing campaigns with information to aid in soliciting contributions.	AO-89-23
	A public employee who is also a campaign manager may not undertake fundraising activities.	AO-89-11
	A public employee is not required to relinquish employment in order to seek public office.	AO-89-04
	A public employee may perform clerical tasks such as data entry in connection with fundraising. While doing such work, a public employee may not provide the names of family and friends because this would be indirect solicitation.	AO-88-25
	A public employee is not required to relinquish employment in order to seek public office. The employee may not engage in fundraising, however, unless he takes a leave of absence of four months or more before a primary or six months or more before a general or special election.	AO-88-24
	A public employee is not required to relinquish employment in order to seek public office. The employee may not engage in fundraising, however, unless he takes a leave of absence. A political committee may use a public employee/candidate's name in a solicitation letter as long as it is clear that committee, and not the candidate, is soliciting.	AO-88-16
	Public employee may lend his name to fundraising letter for charity which is not fundraising for political purpose.	AO-88-15
	A public employee is not required to relinquish employment to seek public office. The employee may not engage in fundraising, however, unless he takes a leave of absence. A political committee may use a public employee/candidate's name in a solicitation letter if it is clear that committee, and not the candidate, is soliciting.	AO-88-08
	Political committee may use public employee/candidate's name in solicitation letter as long as it is clear that committee is soliciting.	AO-88-06
	Public employee may participate in fundraising for local commission against discrimination.	AO-87-06
	M.G.L. c. 268, s. 9A prohibits any person from selling tickets for a testimonial, dinner, or similar function, for any person, other than an elected official, who is employed in a state law enforcement or regulatory/investigative office.	AO-87-03

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	A political committee may use a public employee/candidate's name in solicitation letter as long as it is clear that committee is soliciting.	AO-86-11
	A public employee may not receive anything of value for political purposes although his political committee may raise funds consistent with c.55.	AO-85-08
	A public employee may not be the treasurer of political committee.	AO-84-09
	A public employee may be chairman of a political committee only if he avoids political fundraising and may not be treasurer of committee.	AO-84-02
	Public employees may be members of, or contribute to, political committees, but may not deliver contributions to other public employees. (But see s. 15 as amended). Public employees may contribute up to \$1000/yr to political committee. But see s. 6, which changed limit to \$500/yr.	AO-83-11
	A public employee may not be the treasurer of a political committee.	AO-82-07
	See also "SOLICITATION: CONFLICT OF INTEREST," "PUBLIC EMPLOYEE: DEFINED," PUBLIC EMPLOYEE: LEAVE OF ABSENCE" and IB-92-01, which discusses the application of the campaign finance laws and Public Employees and Political Solicitation.	

**PUBLIC EMPLOYEE:
INDEPENDENT
CONTRACTOR**

Teacher in town's adult education program is an independent contractor not subject to s. 13 if he sets his own hours, does not receive work-related benefits from the town, is not supervised or controlled by the town, and provides services at his own discretion.	AO-98-05
An "0-3" employee has a contractual relationship with the commonwealth or one of its subdivisions and may be a "person employed for compensation," subject to s. 13, or may be an independent contractor not subject to s. 13.	AO-96-15
Consultant to state agency is an independent contractor and not subject to M.G.L. c. 55, s. 13 where consultant is not supervised by the agency, has many other clients, provides guidance on an as-needed basis, sets his own hours and has no office at the agency.	AO-95-26
A call fire fighter who receives \$4.31 per hour and is supervised by fire district is public employee, not an independent contractor. A call fire fighter, unlike a voluntary fire fighter, is subject to the restrictions of s. 13.	AO-93-24
An attorney who represents a town through a partnership or professional corporation is not a person "employed for compensation" where fees are paid directly to the partnership or corporation, not to the attorney.	AO-91-03
Anyone receiving any sum from the commonwealth or a subdivision thereof who is not an independent contractor falls within the prohibition of c.55, s.13.	AO-90-10
An attorney representing government agencies is an independent contractor and is therefore not "employed" for compensation and may fundraise.	AO-88-19

**PUBLIC EMPLOYEE:
LEAVE OF ABSENCE**

Public employee taking 4 month leave of absence is not subject to s. 13, even if leave is not taken immediately before the primary.	AO-96-28
Public employee must take 4-month leave of absence before primary election, or 6-month leave of absence before general election, if employee is to engage in fundraising activities.	AO-93-16
Public employee taking 4-month leave of absence before primary election, or a 6-month leave before general/special election, is not subject to s. 13.	AO-92-24
Public employee taking 4-month leave of absence before primary election, or a 6-month leave before general/special election, is not subject to s. 13.	AO-92-09
Member of the Board of Registration in Medicine must forgo compensation and take a leave of absence in order to solicit political contributions.	AO-92-07

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Public employee taking 4-month leave of absence before primary election, or a 6-month leave before general/special election, is not subject to certain fundraising restrictions.	AO-91-24
	Public employee taking 4-month leave of absence before primary election, or a 6-month leave before general/special election, is not subject to certain fundraising restrictions.	AO-90-19
	A public employee is not required to relinquish employment in order to seek public office. The employee may not engage in fundraising, however, unless he takes a leave of absence. A political committee may use a public employee/candidate's name in a solicitation letter as long as it is clear that committee, and not the candidate, is soliciting.	AO-88-16
	Public employee taking unpaid leave of absence for less than 4 months prior to primary election is subject to fundraising restrictions.	AO-88-06
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<i>PUBLIC EMPLOYEE: PERSONS SUBJECT TO RESTRICTIONS</i>	See "PUBLIC EMPLOYEE: DEFINED."	
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<i>PUBLIC EMPLOYEE: PUBLIC RESOURCES</i>	See "PUBLIC RESOURCES" headings.	
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<i>PUBLIC FINANCING</i>		
	Although held on the same day, each party's primary election is a separate election. The expenditure limits established by c. 55A are, therefore, determined by reference only to candidates seeking nomination in that party's primary. The opinion also states that expenditures made during the primary campaign to respond to ads attacking a candidate are not exempt expenditures even if a candidate seeking the same office in another party's primary election pays for the ads. (But see c. 55A as amended by Clean Elections Law initiative in 1998).	AO-98-16
	A candidate must be certified by Secretary of State and have opposition on the ballot to qualify for public financing. (But see c. 55A as amended by Clean Elections Law initiative in 1998).	AO-86-18
	A candidate may obtain a personal loan in accordance with banking regulations/laws and may then lend such funds to his committee. Funds subsequently obtained through public financing may be used to repay the loan.	AO-82-09
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<i>PUBLIC RESOURCES: ACTIONS BY POLICY MAKING OFFICIALS</i>		
	Sheriff's employees may distribute plastic badges bearing name of sheriff at a community event, if the primary purpose of the activity is to assist the Sheriff in fulfilling his governmental duties. Such outreach activities may use public resources, even if also enhancing a candidate's political future.	AO-97-17
	Selectmen may discuss local ballot questions at Board meetings.	AO-95-33
	Speakers bureau designed to increase "education and awareness" of issues relating to ballot question raises concerns under Anderson.	AO-94-24
	School administrators can act or speak regarding ballot question which involves matters within scope of the administrators' official capacity.	AO-94-11
	Town Manager may use limited public resources to prepare statement supporting or opposing a ballot question for consideration by Board of Selectmen.	AO-92-32
	Town selectmen may use town hall to public forum in town hall to promote ballot question if equal access exists.	AO-91-30
	Local finance committee may recommend a vote for or against ballot question but may not expend town monies in this effort.	AO-90-24

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Public employee may not use office for gathering initiative petition signatures in support of a ballot question.	AO-90-01
	A town finance committee, which expends municipal funds to promote or oppose a ballot question, must file campaign finance reports pursuant to M.G.L. c. 55, s. 22A. If the finance committees receives monies for such purposes, it must register and report as a ballot question committee.	AO-89-02

***PUBLIC RESOURCES:
DISTRIBUTION OF
INFORMATION TO
VOTERS***

Information may be distributed, using public resources, which relates to both town meeting warrant article and a related ballot question -- if the information primarily relates to the warrant article and distribution is consistent with the responsibilities of the distributing agency or official. Overruling, in part, AO-96-30.	AO-98-11
Superintendent of schools who regularly sends newsletter to parents may use the newsletter to mention date of election and the fact that there is a debt override relating to a school building project. In addition, the superintendent may allow architect's displays to be placed in school lobbies, if equal access is provided.	AO-98-06
M.G.L. c. 39, s. 16, which authorizes finance committees to report "to the town" on all "municipal questions," applies to information to be distributed to town meeting or other town bodies, not the voters of the town in regards a ballot question.	AO-97-16
Once a board of selectmen decide to place a question on the ballot, information regarding the ballot question may not be distributed to voters using public funds. A flyer "advocating" a "yes" vote on an anticipated ballot question not yet "on the ballot" would also not comply with Anderson.	AO-97-05
Town may not distribute information regarding a non-binding advisory ballot question to voters absent express statutory authorization..	AO-96-01
Selectmen may not distribute flyer regarding ballot question to voters or class of voters.	AO-95-33
While at work, teacher cannot distribute information and should not spend time advocating a particular vote on a ballot question.	AO-94-11
Municipal Board of Selectmen may not use public resources to disseminate informational or advocacy material in regard to a townwide ballot question.	AO-94-09
School committee candidate can makes expenditures to produce and distribute informational newsletter concerning public schools and to pay for speakers to discuss educational topics at parent meetings. Such expenditures enhance a candidate's political future and provide a constituent service.	AO-93-18
School system's may not use public resources to distribute pamphlets to encourage a class of voters to support or oppose particular candidates or ballot questions.	AO-93-07
Town may not disseminate advocacy or informational material at public expense unless dissemination is expressly authorized by statute.	AO-91-30
Town treasurer must report all costs in producing newsletter supporting an override question. The report must reflect all costs -- not just those costs relating to that portion of the newsletter urging support of the override. (But see M-95-06). School committee may, consistent with the Anderson opinion, retain counsel to advise superintendent of his responsibilities under c.55.	AO-91-18
Actions petitioning town board of selectman to place question on the ballot is not subject to M.G.L. c. 55. Therefore, materials prepared at town's expense are not subject to provisions of chapter 55.	AO-90-08

***PUBLIC RESOURCES:
ENTITIES SUBJECT
TO PROHIBITION***

A building housing a non-profit corporation receiving state funds is not necessarily "occupied for state, county or municipal purposes." The building is, however, subject to the Anderson opinion, and may also be subject to s. 14 if staffed and operated by the commonwealth.	AO-96-25
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<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Town board of library trustees may use trust funds to support a ballot question.	AO-96-14
	Town may expend public funds to print and mail charter commission report regarding ballot questions.	AO-96-03
	Municipal power plant prohibited by Anderson from making expenditures to influence a ballot question.	AO-95-42
	A non-profit corporation which receives state funds cannot use these funds to influence an election.	AO-95-41
	Funding by state agency of "education and awareness" program related to ballot question raises concerns under Anderson.	AO-94-24
	Massachusetts Municipal Association, which is funded largely governmental monies, must be reimbursed for services provided to promote a ballot question..	AO-89-21

***PUBLIC RESOURCES:
EQUAL ACCESS***

Use of building operated by organization receiving funding from commonwealth is appropriate if equal access provided.	AO-97-01
Town may hold hearing on ballot question if equal access provided.	AO-96-01
Advocates of particular vote on ballot question cannot use school property for meeting unless opposition receives equal access.	AO-94-11
Municipality must give equal access to city-owned park.	AO-92-28
Party committee could hold debate excluding another party's candidates, in public building, subject to certain restrictions.	AO-92-26
Town selectmen may use town hall to public forum in town hall to promote ballot question if equal access exists.	AO-91-30
Equal access in public buildings must be given to ballot question proponents and opponents.	AO-90-02
City counsel chamber may be used for political advertisement, subject to restrictions regarding equal access and reimbursement.	AO-89-28
Lease of office by political committee from governmental organization is prohibited unless such office space would be offered to any other member of the public on the same terms.	AO-89-01
Candidates may purchase mailing labels from the City of Newton if (1) all candidates are given an equal opportunity to purchase such labels and (2) the purchase price reflects the city's actual cost.	AO-88-27
The use of a town park for a town function which would indirectly benefit candidate (e.g., if the candidate will speak at event) is prohibited unless no fee is charged or same fee is charged to anyone else using the park.	AO-88-26
Municipality may not appropriate funds to advocate a position in a special election campaign. The prohibition extends to the city's use of telephones and printed materials and to its facilities unless each side is given equal representation and access.	AO-82-22

***PUBLIC RESOURCES:
GENERALLY***

Public employees may endorse candidate but may not use public resources to distribute written endorsements.	AO-90-04
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***PUBLIC RESOURCES:
INTERNET SERVICES***

City may establish link from city's homepage to homepage of city councilors. The link would include a disclaimer regarding a councilor's homepage containing partisan, promotional or advocacy positions. OCPF recommended that the link be disconnected 60 days prior to a municipal election.	AO-96-04
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<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
PUBLIC RESOURCES: PAYROLL DEDUCTIONS FOR PAC	<p>City could provide payroll deduction plan pursuant to a collective bargaining agreement to benefit PAC if PAC reimburses city for all costs incurred in administering plan.</p> <p>City could not provide payroll deduction plan to benefit PAC if not mandated as part of collective bargaining agreement.</p>	<p>AO-97-01</p> <p>AO-95-29</p>
PUBLIC RESOURCES: TOWN MEETING ISSUES	<p>Information may be distributed, using public resources, which relates to both town meeting warrant article and a related ballot question -- if the information primarily relates to the warrant article and distribution is consistent with the responsibilities of the distributing agency or official. Overruling, in part, AO-96-30.</p> <p>Opinion discusses when expenditures by a board of selectman made in connection with town meeting might also be considered to have been made to influence a ballot question.</p> <p>A town may not make expenditures relating to ballot question even if question is also on town meeting warrant.</p> <p>The Anderson Court's prohibition against the use of public funds or resources to influence ballot questions is not applicable to town meeting.</p> <p>Government agency may use public resources to influence town meeting vote on proposed land reuse plan.</p> <p>A school system may distribute pamphlets influencing the outcome of town meeting.</p> <p>Town finance committee may disseminate materials designed to influence the outcome of town meeting.</p>	<p>AO-98-11</p> <p>AO-96-30</p> <p>AO-96-01</p> <p>AO-94-37</p> <p>AO-94-32</p> <p>AO-93-07</p> <p>AO-89-05</p>
RAFFLES	<p>A committee may not keep proceeds of a winning raffle ticket purchased by the committee from a charitable organization. The committee must return the proceeds to the organization which held the raffle.</p>	<p>AO-97-12</p>
RECALL ELECTION	<p>Campaign finance law is applicable to local recall election as of the act of origination, in this case, the drawing up and signing of an affidavit asking for a recall. A recall election is viewed as a candidate election, not a referendum. Any group raising or spending money in connection with the election must file as a PAC.</p>	<p>AO-90-31</p>
RECORDKEEPING AND REPORTING: GENERALLY	<p>Member of the Franklin Council of Governments Executive Committee is a "candidate" and must file pre-election and year-end reports with OCPF. Although he previously was a County Commissioner subject to the requirements of M.G.L. c. 55, s. 19, as a member of the Executive Committee, the member would no longer be a depository candidate.</p>	<p>AO-98-13</p>
RESIDUAL FUNDS	<p>Residual Funds may be transferred from a candidate's account to a university capital/building campaign where the candidate and chairman are faculty members, but not trustees, officer, principals, beneficiaries, or otherwise able to exercise control over the transferred funds.</p>	<p>AO-96-32</p>

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	An inactive town committee is not subject to residual funds clause, because c. 52 does not contemplate the dissolution of such committees. If the treasurer of a defunct town committee resigns, residual funds must be transferred to the state party committee.	AO-96-22
	A committee may pay for supporters' breakfast after funeral of candidate. Although the funeral would be considered "personal," costs associated with an event which would not have taken place but for the candidacy of the decedent are costs associated with terminating the committee.	AO-95-21
	Upon dissolution, a ballot question committee may transfer remaining liabilities to another ballot question committee if both committees are organized for the same purpose.	AO-95-04
	Residual Funds may be transferred from a candidate's account to a charitable trust where relatives of the candidate are honorary overseers of trust, and as honorary overseers, they would have no rights or powers under the trust.	AO-95-02
	An organization which was not required to register as a political committee, but which is organized as political committee, is subject to residual funds clause.	AO-94-43
	Contributions cannot be refunded to a contributor when a committee dissolves, instead, they must be donated to a charity or other entity specified in the residual funds clause of s. 18.	AO-94-34
	When a candidate decides to close his political committee account, funds remaining in the account must be given to an entity specified in M.G.L. c. 55, s. 18.	AO-93-33
	Where a ballot question committee was organized to promote a Proposition 2 1/2 override and the question has been decided, the committee must dissolve, and residual funds must be donated to a fund or organization defined in c. 55, s. 18.	AO-93-30
	M.G.L. c.55, s.18 permits residual campaign funds to be donated to a charitable entity organized to finance a memorial to John F. Kennedy.	AO-93-03
	Funds held by deceased candidate's political committee are not assets of his estate and must be disposed of in accordance with the residual funds clause.	AO-87-09

SCHOLARSHIP

Charitable contributions by political committees must be made in accordance with M.G.L. c. 55, s. 6 and 970 CMR 2.06(3)(a). Such contributions do not, however, have to be "incidental" to the total annual political committee expenditures in order to comply with the campaign finance law or regulations (overruling contrary guidance in AO-94-20, AO-89-29, AO-88-31, AO-86-19 and AO-83-14).	AO-97-18
A political committee may make a contribution to a scholarship fund if the amount contributed is incidental to the total expenditures of committee, but may not solicit for the scholarship or administer the scholarship. (Overruled, in part, by AO-97-18).	AO-94-20
Fundraising for a college scholarship in the name of the Attorney General is not a "contribution" subject to c. 55. The fundraising would be for a civic rather than political purpose and would not involve the making of "expenditures" or "contributions."	AO-92-29
City political committee may make expenditures for a scholarship award from general checking account or may maintain a separate checking account for that purpose.	AO-90-13
A political committee may award a scholarship, if regulations are complied with.	AO-89-19
Political committee may award scholarship, if regulations are complied with.	AO-89-13
Party's political committee may not solicit or accept checks from business corporations, even for a scholarship fund.	AO-85-12
State senator's committee may not contribute to scholarship fund where the candidate is a principal of the fund.	AO-85-11
See also: "EXPENDITURE: CHARITABLE."	

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
SOLICITATION	See "PUBLIC EMPLOYEE: FUNDRAISING RESTRICTIONS" and "SOLICITATION: CONFLICT OF INTEREST" and IB-92-01, which discusses the application of the campaign finance laws and Public Employees and Political Solicitation.	
SOLICITATION: CONFLICT OF INTEREST	A member of an adjudicatory board is subject to the second sentence of M.G.L. c. 55, s. 13 even if the member takes an unpaid leave of absence. The member may not solicit or receive contributions from a person (or controlling person of corporate entity) that filed a case with the board, if the board decides the case and the member participated in the decision.	AO-94-14
	To the extent the actions of a legislative aide have affected a particular constituent specifically, the aide's political committee could not solicit or receive contributions from that constituent.	AO-90-17
	The political committee of the chief or the Bureau of Local Assessment of the Division of Local Services may not solicit or receive contributions from employees whom she supervises, any municipal official supervised by the Bureau, or any municipal official coordinating a project for which she has responsibility.	AO-89-31
	The committee of a public employee who is a union officer, labor-management commission member, and member of a retirement board may solicit and receive contributions from public employee union members.	AO-88-22
	Committee organized on behalf of officer of the State Office of Employee Relations may not solicit contributions from public labor union over which the public employee exercises supervisory authority.	AO-88-16
	Committee organized on behalf of an employee of the Department of Revenue may receive contributions subject to limitations of s. 13.	AO-87-04
	A public employee's committee may not solicit or receive contributions from anyone having interest in any matter before public employee.	AO-87-03
	Parole officer's committee may not solicit contributions from parolee subject directly or indirectly to the officer's authority.	AO-86-10
	A public employee's committee may not solicit contributions from those involved in the candidate's official duties.	AO-83-03
	Assistant District Attorney may not have contributions solicited on his behalf from any attorney or anyone else involved with his official responsibilities.	AO-82-01
STATE COMMITTEE CANDIDATE	A public employee seeking election to a state political party committee is subject to s. 13 and may not solicit or receive contributions. If the employee organizes a committee, the committee is not required to file reports.	AO-96-23
	A candidate's committee could make an expenditure to support the candidate's election to a state party committee.	AO-95-43
	Campaign expenditures by a non-depository candidate's political committee to support the candidate's effort to be elected to a position in the committee of a state political committee are permitted under c.55.	AO-88-04
	Candidates for state political committee are not subject to the requirements of c.55.	AO-87-10
STOCK	See "INVESTMENTS BY POLITICAL COMMITTEES."	

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
TESTIMONIAL		
	M.G.L. c. 268, s. 9A prohibits any person from selling tickets for a testimonial, dinner, or similar function, for any person, other than an elected official, who is employed in a state law enforcement or regulatory/investigative office.	AO-87-03
	A retiring legislator, who has a political committee with funds and who intends to maintain his committee, is a "candidate." A testimonial event held in honor of the legislator is therefore subject to c. 55.	AO-87-01
	A committee organized on behalf of legislator may hold testimonial for its legislator candidate, but the committee must make all expenditures and receive all monies. Funds received and expenditures made are subject to all disclosure requirements of c. 55.	AO-84-15
	See also "EXPENDITURES: POLLING."	
TESTING THE WATERS ISSUES		
	See: "EXPENDITURES: POLLING."	
TOWN CLERK		
	A town treasurer must report all costs in producing newsletter supporting an override question. The report must reflect all costs -- not just those costs relating to that portion of the newsletter urging support of the override. But see M-95-06.	AO-91-18
	A town clerk not required to refer a matter to Attorney General when activity is not violation of c.55. (See also M-94-07):	AO-90-20
TOWN MEETING		
	Members of representative town meeting (but not voters in towns having open town meetings) are "persons in the service" subject to s. 15. (But see s. 15 as amended).	AO-95-18
	Members of representative town meeting are not subject to the disclosure and limitation requirements of the campaign law. In particular, they are not "elective public officers" within the context of s. 5A.	AO-95-03
	Matter resolved by vote at town meeting is not subject of ballot question.	AO-89-32
	Group supporting only candidates for town meeting representative is not a PAC under c. 55.	AO-89-12
	Matter resolved by vote at town meeting is not the subject of a ballot question.	AO-89-05
	A group may raise and spend money to educate voters regarding a town meeting issue, and pay related attorney fees without coming under c. 55.	AO-88-23
	See also: "PUBLIC RESOURCES: TOWN MEETING ISSUES."	
TRANSFER		
	A candidate with a single committee organized on both the local and state levels may use funds raised at the local level for expenditures at state level, with proper reporting. (See also M-84-01, revised March 1, 1991).	AO-88-05
	See also: "EXPENDITURE: FEDERAL ISSUES."	
TRAVEL EXPENSES		
	See: "EXPENDITURE: TRAVEL."	
TREASURER		
	The same person may generally be both the treasurer and chairman of a political committee.	AO-96-26
	An elected school committee member may not be treasurer unless political committee does not accept contributions from others "in the service of the commonwealth." (But see s. 15, as amended).	AO-92-16

<i>Keyword</i>	<i>Summary</i>	<i>Number</i>
	Non-compensated member of town committee is "person in the service" of the town prohibited from being treasurer of committee. But see s. 15, as amended.	AO-92-01
	A public employee may expend funds on behalf of political committee but may not be treasurer of a political committee.	AO-85-06
	A person employed by an interstate commission at a state agency is not a public employee prohibited from fundraising and may serve as treasurer.	AO-84-14
	A person employed for compensation by the commonwealth (county, city or town) may not be treasurer of a political committee.	AO-84-09
	Public employees, who are not elected officers, may not be treasurers of political committees.	AO-84-04
	Public employees, who are not elected officers, may not be treasurers of political committees.	AO-84-02
	A candidate may be both chairman and treasurer of a political committee organized on behalf of his own candidacy. (Overruled by s. 5, as amended). A candidate who is an appointed public employee may not be treasurer of his committee.	AO-82-07
	See also "PUBLIC EMPLOYEE: FUNDRAISING RESTRICTIONS."	

UNION

A union may raise funds through a voluntary dues check-off in which two-thirds of the total funds received would be distributed to a federal PAC and one-third to a Mass. PAC. Prior to allocation between the PACs, the funds must be placed in a separate transmittal account. Distribution to the state PAC must take place promptly.	AO-99-01
A union may contribute or expend funds to influence ballot questions, with the limitations discussed in IB-88-01.	AO-94-28
Political committees organized by a union and its local are not "affiliated" if they demonstrate that their contributions are not made "in cooperation, consultation or concert" with each other, or at the request or suggestion of any person who establishes, finances, maintains or controls the committees.	AO-90-14
A union PAC receiving funds from a union for political purposes is a political committee, but union activities such as assisting unemployed members are not political and do not require the formation of a political committee.	AO-83-05

WARD, TOWN AND CITY COMMITTEES

See: "LOCAL PARTY COMMITTEES."

